

Charter Communications, LLC
Case 31-CA-150248

Confidential Witness Affidavit

KD DeHart
I, Kenneth D. Hart, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)
located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I am a customer business technician 5 for Charter. I have been with Charter for almost 9
2 years. My direct supervisor is Felix Munguia. Munguia has over about 8-9 employees in his
3 department. Bill Vedrin is the Manager over Munguia.

4 After a weekly meeting, in about January or February 2015, Bill Vedrin asked me to
5 come into his office. Vedrin said, "I'm sure you know all about this Union thing. I don't know
6 where you stand, but I really need your help. We need to get rid of this thing." Vedrin explained
7 that the Union contract will only be 2% raises, but the Union dues will take up 1% of that.
8 Vedrin said that I would make more than that without the Union. I told him I would talk to the

Privacy Act Statement

The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

- 1 -

Initials

KD

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5/9/2015

1 guys about the Union. He did not mention a petition for decertification. I don't remember
 2 anything else about this conversation.

3 At the end of April 2015, I went to lunch with Munguia and Julio Meza, another
 4 supervisor, and several other techs. At the lunch that was paid for by the Company, a worker
 5 brought up something about the decertification petition. I said, "What is this petition? I have
 6 never seen this petition." Meza said, "Well, you're not going to see the petition because they are
 7 scared of you." I do not remember anything else being discussed about the petition at this lunch.

8 Last week at the end of April 2015 at the quarterly meeting with Wally Bakare, Corporate
 9 manager, employee Ed Rodriguez asked why we had not gotten a raise in two years. Bakare said
 10 that Charter can't give raises because everything has to be negotiated.

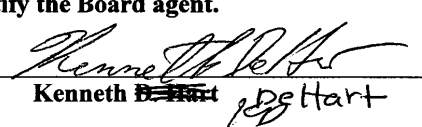
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I have read this Confidential Witness Affidavit consisting of 2 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: May 9, 2015

Signature:


 Kenneth B. Hart

Signed and sworn to before me on May 9, 2015 at

San Luis Obispo, CA


MICHELLE SCANNELL
 Board Agent
 National Labor Relations Board

- 2 -

Initials:



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Confidential Witness Affidavit

I, Tim Dixon, being first duly sworn upon my oath, state as follows:

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My cell phone number (including area code) is (805) 390-6192

My e-mail address is tim_dixon@ibew.org

I am employed by International Brotherhood of Teamsters (IBEW)

located at 1840 S. Elena Ave., Suite 108, Redondo Beach, CA 90277

1 I am an International Representative for IBEW. I am the chief negotiator for IBEW Local
2 ~~639~~ Local 639 was certified as the bargaining representative in about April 2014 for the
3 ~~employees at Charter Communications in San Luis Obispo (Charter). The parties began~~
4 bargaining for a first contract on July 15, 2014. There have been a total of about 12 sessions. The
5 most recent session was April 11, 2015. At that session, all issues had been TA'd, except
6 economics and the issue of whether employees had the right to wear Union insignia.
7 During negotiations, the Union proposed that Union insignia would be on the Charter
8 trucks and on the employees' Charter shirts. The Employer rejected this proposal. On April 10,
9 2015, the Union modified their proposal regarding Union insignia to allow employees the right
10 to wear Union buttons on their shirts or Union stickers on their hardhats. The Employer rejected
11 the Union's proposal, as well. Union counsel, Ellyn Moscovitz, argued that it was unlawful for

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BD

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6/3/2015

1 the Employer to prevent employees from wearing Union insignia. Henry Farber, Employer's
2 counsel and chief negotiator, stated that he did not agree with Moscovitz's legal analysis. This
3 remains an open an issue.

4 On April 11, 2015, the parties moved to the economic issues, which is the first time that
5 the parties had discussed economics. At about 10:30 a.m., the Union presented a written
6 economic proposal on this date. A copy of the proposal is attached as Exhibit 1. In addition to the
7 written proposal, I made a presentation as to the rationale for the proposal, including Bureau of
8 Labor Statistics (BLS) on cable television employees' compensation and statistics regarding the
9 cost of living in San Luis Obispo County. I also stated that the employees had not received a cost
10 of living (COLA) increase for the past two years, and prior to that, they had only received
11 minimal increases other than promotions. After the presentation, the Employer requested a
12 caucus.

13 At about 12:43 p.m., on April 11, 2015, the parties returned to the table. At that time,
14 Farber said that they had analyzed the Union's economic proposal and they calculated that the
15 Union's proposal would result in a 20% increase in wages on day one, and a 30% increase over
16 three years. Farber also disputed the Union's statements on COLA and the BLS wage
17 information. Finally, Farber disputed that members had not received increases in the past years,
18 however, the statistics that Farber relied on was as a result of the employees' promotions. I
19 responded that the Union had based its wage proposal on current pay rates, and that the largest
20 increases were to address the disparity in wage rates for employees performing the same or
21 similar work. Moscovitz stated that supervisor Bill (LNU) had been telling employees that if the
22 employees decertified that Union the employees would receive increases comparable to what the
23 Union was proposing. I asked the Employer to explain the wide disparity in wages of the

- 2 -

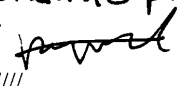

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1 employees. Farber said that employees were evaluated based on their skills and experience. I had
2 surmised that the Employer was not going to counter the Union's economic proposal. I
3 confirmed with Farber and he stated that the Employer would not counter and that the Union
4 needed to revise its proposal. Then, at about 1 p.m., the Union requested a caucus. During the
5 caucus, Moscowitz emailed with Farber.

6 By email on April 17, 2015, I requested that Farber provide the Union with some
7 guidance on preparing a revised economic proposal. We continued to exchange emails regarding
8 new bargaining dates and an economic proposal. Copies of these emails are attached as Exhibit
9 2.

10 Currently, the parties are scheduled to bargain on Friday, June 19, 2015. The Union is
11 planning to present a ~~revised economic plan~~ ^{revised economic proposal.}  

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1 At the first bargaining session in July 2014, the Union proposed that employees would
2 have the option to choose either a 4/10 or 5/8 work schedule. The Employer countered with a 5/8
3 work schedule and stated that it was not planning to allow a 4/10 work schedule. I had bargained
4 the contract for the Charter employees in Glendale and they have the option for a 4/10 work
5 schedule. The Union has since agreed to the Employer 5/8 work schedule.

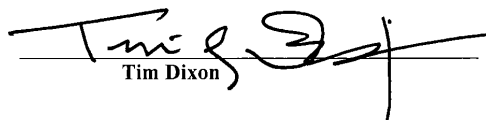
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Date: June 3, 2015

Signature:


Tim Dixon

Signed and sworn to before me on June 3, 2015 at

Los Angeles, CA


MICHELLE SCANNELL
Board Agent
National Labor Relations Board

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Initials:



IBEW ECONOMIC PROPOSAL

April 11, 2015

1. TERM OF AGREEMENT: 3 YEARS

2. WAGES/CLASSIFICATIONS

- A. The Union agrees to the Employer's "Job Titles" Proposal.
- B. Adjust all employees pay in accordance with the attached rate sheet.
- C. Effective April 15, 2016: 5% wage increase to all employees and to the minimums and maximums on the wage ranges.
- D. Effective April 15, 2017: 5% to all employees and also applied to the minimums and maximums on the wage ranges.

3. SHIFT PAY: There will be a shift pay differential paid to all employees as follows:

Weekdays:

2nd shift (shifts starting between 11 am and 9:59 pm): \$1.50

3rd shift (shifts starting between 10 pm and 4:59 am): \$2.25

Weekends: (must work both weekend days)

1st shift (shifts starting between 5 am and 10:59 am): \$2.50

2nd shift: \$2.75

3rd shift: \$3.00

EXH 1

4. STANDBY PAY: Employees on standby shall be paid \$50.00 per day.
5. REPORTING TO ANOTHER WORK AREA: Employees who are assigned to a work area further than 20 minutes from their home shall be compensated for all travel time in excess of 20 minutes for reporting to work and/or traveling home at their regular wage rate.
6. 401k: The Employer shall continue to administer the Charter 401k Plan and shall continue to match employee contributions with a 50% matching contribution up to 6% of salary.

Scannell, Michelle

From: Dixon, Tim <Tim_Dixon@IBEW.org>
Sent: Wednesday, June 03, 2015 10:38 AM
To: Scannell, Michelle
Subject: FW: SLO Negotiations

Sensitivity: Personal

Flag Status: Completed

Tim Dixon
International Representative
IBEW
1840 South Elena Avenue, Suite 108
Redondo Beach, California 90277
Cell: (805) 390-6192
Office: (310) 375-8889
Fax: (888) 320-7519
Email: tim_dixon@ibew.org

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From: Farber, Henry [mailto:henryfarber@dwt.com]
Sent: Wednesday, May 27, 2015 11:28 AM
To: Dixon, Tim
Cc: Cheryl M. Manley
Subject: RE: SLO Negotiations

Tim,

We can confirm the 19th, and if necessary and productive, we can work into the evening that day. We will not fly out until the next morning. We can also plan to start at 9:00 am.

See you then.

Thanks,

Henry

Henry E. Farber | Davis Wright Tremaine LLP Chair, Employment Services Group

EXH 2

Scannell, Michelle

From: Dixon, Tim <Tim_Dixon@IBEW.org>
Sent: Wednesday, June 03, 2015 10:36 AM
To: Scannell, Michelle
Subject: FW: SLO Negotiations

Sensitivity: Personal

Flag Status: Completed

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Fax: (888) 320-7519
Email: tim_dixon@ibew.org

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From: Farber, Henry [mailto:henryfarber@dwt.com]
Sent: Monday, May 25, 2015 4:55 PM
To: Dixon, Tim
Cc: Cheryl M. Manley
Subject: RE: SLO Negotiations

Tim,

We could meet on Friday, June 19. Does that work for your team?

Thanks,

Henry

Henry E. Farber | Davis Wright Tremaine LLP Chair, Employment Services Group
777 108th Ave. NE, Suite 2300 | Bellevue, WA 98004
Tel: (425) 646-6138 | Fax: (425) 646-6199
Email: henryfarber@dwt.com | Website: www.dwt.com

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington, D.C.

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Henry:

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Please advise which dates work for you.

Regards,

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How about June 22 and 23? We would start on June 22 at 1 pm (so no one has to travel on Father's Day), but would be willing to go later in the day. On June 23, we would need to end by 4 pm.

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-----Original Message-----

From: Dixon, Tim [mailto:Tim_Dixon@IBEW.org]
Sent: Thursday, May 21, 2015 12:44 PM
To: Farber, Henry
Cc: Cheryl M. Manley
Subject: Re: SLO Negotiations

Henry:

We are not available on June 2, 2015 but we could meet on June 5, 2015 or anytime the week of June 15, 2015.

Please advise which dates work for you.

Regards,

Tim Dixon
International Representative
IBEW
1840 South Elena Avenue, Suite 108<x-apple-data-detectors://1/0> Redondo Beach, California
90277<x-apple-data-detectors://1/0>
Cell: (805) 390-6192<tel:(805)%20390-6192>
Office: (310) 375-8889<tel:(310)%20375-8889>
Fax: (888) 320-7519<tel:(888)%20320-7519>
Email: tim_dixon@ibew.org<mailto:tim_dixon@ibew.org>

Sent from my iPhone

On May 20, 2015, at 4:30 PM, Farber, Henry
<henryfarber@dwt.com<mailto:henryfarber@dwt.com>> wrote:

Tim,

I apologize for the delay. Would June 2 work for you and your team in resuming our SLO negotiations?

Thanks,

Henry

Sent from my Microsoft Surface

Henry E. Farber
Davis Wright Tremaine
425-646-6138

Charter Communications, LLC
Case 31-CA-155081

Confidential Witness Affidavit

I, Tim Dixon, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

My cell phone number (including area code) is (805) 390-6192

My e-mail address is tim_dixon@ibew.org

I am employed by International Brotherhood of ~~Teamsters~~ ^{ELECTRICAL WORKERS} (IBEW) 

located at 1840 S. Elena Ave., Suite 108, Redondo Beach, CA 90277

1 I provided an affidavit in the previous related charge 31-CA-150248. This affidavit
2 serves to supplement my prior affidavit.

3 The parties met for bargaining on June 19, 2015. Present for the Union was myself, Mark
4 Simonin, Business Manager, Ellyn Moscovitz, Union attorney, Mark Satterfield, Union
5 organizer, and Devin Rodgers and John Paulson, employee members of the bargaining
6 committee. Present for the Employer was Henry Farber, Employer Attorney, Gary Dressler,
7 West Coast Labor Relations Manager, Ruth Ann Whitner, Western Region Labor Relations
8 Manager, David Durantes, Technical Manager for California System.

9 At 9:04 a.m., I presented the Union's new economic proposal. A copy is attached as
10 Exhibit 1. After a caucus, the Employer countered our economic proposal. A copy is attached as

Privacy Act Statement

The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website, www.nlrb.gov. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

- 1 -

Initials 

Case 31-CA-155081

7/22/2015

1 Exhibit 2. After a caucus, the Union countered at 12:05 p.m. A copy is attached as Exhibit 3.

2 After a caucus, the Employer countered at 2:16 p.m. A copy is attached as Exhibit 4.

3 After a caucus, I requested a sidebar to provide the Union's counter economic proposal.

4 The sidebar consisted of myself, Simonin, Farber, and Whitner. A copy of the Union's proposal,

5 presented at 2:52 p.m. at sidebar, is attached as Exhibit 5. During sidebar, I noted that we were

6 really far apart in numbers. I stated that I understood they were opposed to retroactive increases,

7 but that the first year numbers had to be significantly higher than a regular increase to make up

8 for the fact that the employees had not received any increases other than promotions for three

9 years. Farber stated that the Employer was not willing to do anything other than a traditional

10 increase.

11 During caucus, Farber emailed me at 3:37 p.m. I responded to Farber's email at 4:12 p.m.

12 After my email, the bargaining session ended. At 4:43 p.m., Farber responded to my email. At

13 6:05 p.m., I responded to Farber. At 7:08 p.m., Farber responded and proposed July 7th as the

14 next bargaining session. On Monday, June 22, 2015, I responded to Farber by email proposing

15 other dates for bargaining. Farber and I continued to exchange emails to confirm a new date for

16 bargaining. We eventually agreed on July 29, 2015. A copy of this email exchange is attached as

17 Exhibit 6.

18 By email on June 26, at 4:20 p.m., Dohnjahli Mendez forwarded a letter to me from

19 Wally Bakare stating that the Employer was withdrawing recognition of Local 639. A copy of

20 the letter is attached as Exhibit 7.

- 2 -

Initials: TSD

Case 31-CA-155081

7/22/2015

1 On June 26, at 4:36 p.m., employee Devin Rodgers forwarded me an email the employees
2 had received from Bakare also stating that the Employer was withdrawing recognition. A copy of
3 this email is attached as Exhibit 8.

4

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 3 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: July 22, 2015

Signature:


Tim Dixon

Signed and sworn to before me on July 22, 2015 at

Los Angeles, CA


MICHELLE SCANNELL
Board Agent
National Labor Relations Board

3 -

Initials:



IBEW LOCAL 639 ECONOMIC PROPOSAL

June 19, 2015

9:04 AM

1 TERM OF AGREEMENT 3 YEARS

2. WAGES/CLASSIFICATIONS

A. The Union agrees to the Employer's "Job Titles" Proposal.

B. Adjust all employees compensation in each classifications as follows:

Installer Trainee: A minimum wage rate of \$14.00 per hour or a 6% wage increase, whichever is greater

Installer: A minimum wage rate of \$16.00 per hour or a 10% wage increase, whichever is greater

Service Technician: A minimum wage rate of \$19.00 per hour or a 10% wage increase, whichever is greater

Senior Technician: A minimum wage rate of \$22.00 per hour or a 10% wage increase, whichever is greater

System Technician 1: A minimum wage rate of \$23.00 per hour or a 10% wage increase, whichever is greater

System Technician 2: A minimum wage rate of \$26.00 per hour or a 10% wage increase, whichever is greater

C. Effective April 15, 2016: Increase the *Installer Trainee* wage rate by 3%. Provide a 5% wage increase to all other employees and to the minimums of all other classifications.

EXH 1

- D. Effective April 15, 2017: Increase the *Installer Trainee* wage rate by 3%. Provide a 5% wage increase to all other employees and to the minimums of all other classifications.
3. SHIFT PAY: There will be a shift pay differential paid to all employees as follows:
- Weekdays:
- 2nd shift (shifts starting between 11 am and 9:59 pm): \$1.50
- 3rd shift (shifts starting between 10 pm and 4:59 am): \$2.25
- Weekends: (must work both weekend days)
- 1st shift (shifts starting between 5 am and 10:59 am): \$2.50
- 2nd shift: \$2.75
- 3rd shift: \$3.00
4. STANDBY PAY: Employees on standby shall be paid \$35.00 per day with back pay to all employees from the date that the Employer increased standby pay in other systems.
5. HAZARD PAY: Employees required to work at the California Men's Colony or any other prison or working at heights of 50 feet or greater shall be paid \$75.00 per day.
6. REPORTING TO ANOTHER WORK AREA: Employees who are assigned to a work area further than 20 minutes from their home shall be compensated for all travel time in excess of 20 minutes for reporting to work and/or traveling home at their regular wage rate.
- 7 401k: The Employer shall continue to administer the Charter 401k Plan and shall continue to match employee contributions with a 50% matching contribution up to 6% of salary.

CHARTER FIRST ECONOMIC PACKAGE COUNTERPROPOSAL TO IBEW

June 19, 2015

10:56 AM

1. Term of Agreement: From date of ratification, for three years.

2. Wages and Classifications:

A. Job titles as proposed by Employer

B. Minimum Wage Rates:

Installer Trainee: \$13.00

Installer: \$13.75

Service Technician: \$15.50

Senior Technician: \$16.78

System Technician 1. \$18.37

System Technician 2: \$20.00

MINIMUMS -
1st LINE w/ 10%
US 10% -
IN LINE w/
BUT NOT

C. Across the board increases:

Effective the first payroll period on or after the date of ratification, all employees will receive an increase of at least one percent (1.0%). If movement to the minimum is 1% or greater, the employee will not receive the across the board increase.

Effective the first payroll period on or after the first anniversary of the date of ratification, all employees will receive an increase of at least one percent (1.0%).

Effective the first payroll period on or after the second anniversary of the date of ratification, all employees will receive an increase of at least one and one-half percent (1.5%).

3.5% / 34RS

3. Shift Differential:

Weekdays:

2nd shift (starting between 11 am and 9:59 pm): \$1.25

EXH. 2

DWT 27148030v1 0058913-000045

3rd shift (starting between 10 pm and 4:59 am): \$2.00

Weekends: as proposed by Union ←

4. Standby Pay: \$25 per day; \$175 per week ✓ *more than BURBANK*
5. Reject Hazard Pay ✓
6. Eliminate current practice of paying for drive time for longer drives. In return, Charter will pay each employee in the bargaining unit who has been employed for one year or more a one time lump sum bonus of \$100, payable within 30 days of ratification. *Buy at*
7. Propose same 401(k) language as Glendale CBA ✓

DWT 27148030v1 0058913-000045

IBEW LOCAL 639 ECONOMIC PROPOSAL

June 19, 2015

11:55 AM

12:05pm

1 TERM OF AGREEMENT: 3 YEARS ✓

2. WAGES/CLASSIFICATIONS

A. The Union agrees to the Employer's "Job Titles" Proposal. ✓

B. Adjust all employees compensation in each classifications as follows:

Installer Trainee: A minimum wage rate of \$14.00 per hour

Installer: A minimum wage rate of \$15.50 per hour or a 9.5% wage increase, whichever is greater.

Service Technician: A minimum wage rate of \$18.50 per hour or a 9.5% wage increase, whichever is greater

Senior Technician: A minimum wage rate of \$22.00 per hour or a 9.5% wage increase, whichever is greater

System Technician 1: A minimum wage rate of \$22.00 per hour or a 9.5% wage increase, whichever is greater

System Technician 2: A minimum wage rate of \$25.50 per hour or a 9.5% wage increase, whichever is greater

C. Effective April 15, 2016: Increase the *Installer Trainee* wage rate by 3%. Provide a 4.5% wage increase to all other employees and to the minimums of all other classifications.

EXH 3

D. Effective April 15, 2017: Increase the *Installer Trainee* wage rate by 3%. Provide a 4.5% wage increase to all other employees and to the minimums of all other classifications.

3. SHIFT PAY: There will be a shift pay differential paid to all employees as follows:

Weekdays:

2nd shift (shifts starting between 11 am and 9:59 pm): \$1.50

3rd shift (shifts starting between 10 pm and 4:59 am): \$2.25

Weekends: (must work both weekend days)

1st shift (shifts starting between 5 am and 10:59 am): \$2.50

2nd shift: \$2.75

3rd shift: \$3.00

4. STANDBY PAY: Employees on standby shall be paid \$35.00 per day with back pay to all employees from the date that the Employer increased standby pay in other systems.
5. HAZARD PAY: Employees required to work at the California Men's Colony or any other prison or working at heights of 50 feet or greater shall be paid \$50.00 per day.
6. REPORTING TO ANOTHER WORK AREA: Employees who are assigned to a work area further than 20 minutes from their home shall be compensated for all travel time in excess of 20 minutes for reporting to work and/or traveling home at their regular wage rate.
- 7 401k: The Employer shall continue to administer the Charter 401k Plan and shall continue to match employee contributions with a 50% matching contribution up to 6% of salary.

CHARTER SECOND ECONOMIC PACKAGE COUNTERPROPOSAL TO IBEW

June 19, 2015

2:16pm

1. Term of Agreement: From date of ratification, for three years.

2. Wages and Classifications:

A. Job titles as proposed by Employer

B. Minimum Wage Rates:

Installer Trainee: \$13.00

Installer: \$13.75

Service Technician: \$15.50

Senior Technician: \$16.78

System Technician 1: \$18.37

System Technician 2: \$20.00

Ø change
Different perspective
Designed Ø experience
or New to job

C. Across the board increases:

Effective the first payroll period on or after the date of ratification, all employees will receive an increase of at least one and one-quarter percent (1.25%). If movement to the minimum is 1.25% or greater, the employee will not receive the across the board increase. ✓

EXCEPTION: For those placed in the new System Tech II classification:

Those who were formerly System Tech 2's will get a 1.75% increase. ✓

Those who were formerly Sr. System Techs will get a 1% increase. ✓

Effective the first payroll period on or after the first anniversary of the date of ratification, all employees will receive an increase of at least one percent (1.25%). ✓

Effective the first payroll period on or after the second anniversary of the date of ratification, all employees will receive an increase of at least one and one-half percent (1.5%). ✓

EXH. 4

DWT 27155126v1 0058913-000045

3. Shift Differential:

Weekdays:

2nd shift (starting between 11 am and 9:59 pm): \$1.25

3rd shift (starting between 10 pm and 4:59 am): \$2.00

Weekends: as proposed by Union

4. Standby Pay: \$25 per day; \$175 per week. Effective the first payroll period on or after the second anniversary of the agreement, the standby pay will be increased to \$28.57 per day, \$200 per week. ✓

NON-UNION B-4 Glendale

5. Reject Hazard Pay

6. For the first year of the agreement, Charter will maintain its current practice of paying for longer drives determined by when the employee passes the office. Effective with the first anniversary of the Agreement, Charter will eliminate current practice of paying for drive time for longer drives. In return, Charter will pay each employee in the bargaining unit who has been employed for one year or more (at the time) a one time lump sum bonus of \$100, payable within 30 days after the elimination of the practice.

7. Propose same 401(k) language as Glendale CBA

2 maintain 15%
401-

DWT 27155126v1 0058913-000045

IBEW LOCAL 639 ECONOMIC PROPOSAL

June 19, 2015

2:45PM

presented
in side bar
2:52PM

1 TERM OF AGREEMENT 3 YEARS

2. WAGES/CLASSIFICATIONS

A. The Union agrees to the Employer's "Job Titles" Proposal.

B. Adjust all employees compensation in each classifications as follows:

Installer Trainee: A minimum wage rate of \$14.00 per hour

Installer: A minimum wage rate of \$15.50 per hour or a 9.25% wage increase, whichever is greater.

Service Technician: A minimum wage rate of \$18.50 per hour or a 9.25% wage increase, whichever is greater

Senior Technician: A minimum wage rate of \$22.00 per hour or a 9.25% wage increase, whichever is greater

System Technician 1: A minimum wage rate of \$22.00 per hour or a 9.25% wage increase, whichever is greater.

System Technician 2: A minimum wage rate of \$25.50 per hour or a 9.25% wage increase, whichever is greater.

C. Effective April 15, 2016: Increase the *Installer Trainee* wage rate by 3%. Provide a 4.25% wage increase to all other employees and to the minimums of all other classifications.

EXH. 5

D. Effective April 15, 2017: Increase the *Installer Trainee* wage rate by 3%. Provide a 4.25% wage increase to all other employees and to the minimums of all other classifications.

3. SHIFT PAY: There will be a shift pay differential paid to all employees as follows:

Weekdays:

2nd shift (shifts starting between 11 am and 9:59 pm): \$1.50

3rd shift (shifts starting between 10 pm and 4:59 am): \$2.25

Weekends: (must work both weekend days) **Agreed**

1st shift (shifts starting between 5 am and 10:59 am): \$2.50

2nd shift: \$2.75

3rd shift: \$3.00

4. STANDBY PAY: Employees on standby shall be paid \$35.00 per day with back pay to all employees from the date that the Employer increased standby pay in other systems.

5. Hazard Pay- Union Withdraws

6. REPORTING TO ANOTHER WORK AREA: Employees who are assigned to a work area further than 20 minutes from their home shall be compensated for all travel time in excess of 20 minutes for reporting to work and/or traveling home at their regular wage rate.

- 7 401k: The Employer shall continue to administer the Charter 401k Plan and shall continue to match employee contributions with a 50% matching contribution up to 6% of salary.

Scannell, Michelle

From: Dixon, Tim <Tim_Dixon@IBEW.org>
Sent: Wednesday, July 22, 2015 11:21 AM
To: Scannell, Michelle
Subject: FW: Charter/SLO Negotiations

Sensitivity: Personal
Flag Status: Completed

Tim Dixon
International Representative
IBEW
1840 South Elena Avenue, Suite 108
Redondo Beach, California 90277
Cell: (805) 390-6192
Office: (310) 375-8889
Fax: (888) 320-7519
Email: tim_dixon@ibew.org

From: Farber, Henry [mailto:henryfarber@dwt.com]
Sent: Monday, June 22, 2015 8:26 PM
To: Dixon, Tim
Subject: Re: Charter/SLO Negotiations

OK, thanks.

See you then.

Sent from my Microsoft Surface

Henry E. Farber
Davis Wright Tremaine
425-646-6138

From: Tim S. Dixon
Sent: Monday, June 22, 2015 8:13 PM
To: Henry E. Farber

Let's book it.

Regards,

Tim Dixon

EXH-6

International Representative

IBEW

1840 South Elena Avenue, Suite 108<x-apple-data-detectors://1/0>

Redondo Beach, California 90277<x-apple-data-detectors://1/0>

Cell: (805) 390-6192<tel:(805)%20390-6192>

Office: (310) 375-8889<tel:(310)%20375-8889>

Fax: (888) 320-7519<tel:(888)%20320-7519>

Email: tim_dixon@ibew.org<mailto:tim_dixon@ibew.org>

Sent from my iPhone

On Jun 22, 2015, at 7:15 PM, Farber, Henry <henryfarber@dwt.com<mailto:henryfarber@dwt.com>> wrote:

Tim, how about July 29? Our team can make it then.

Henry

Sent from my Windows Phone

From: Dixon, Tim<mailto:Tim_Dixon@IBEW.org>

Sent: 6/22/2015 3:38 PM

To: Farber, Henry<<mailto:henryfarber@dwt.com>>

Subject: RE: Charter/SLO Negotiations

Henry:

I was just informed that a member of my committee has a conflict on Monday., July 27, 2015, so let us work for a date from July 28- 31, 2015.

Regards,

Tim Dixon

International Representative

IBEW

1840 South Elena Avenue, Suite 108

Redondo Beach, California 90277

Cell: (805) 390-6192

Office: (310) 375-8889

Fax: (888) 320-7519

Email: tim_dixon@ibew.org<mailto:tim_dixon@ibew.org>

From: Farber, Henry [<mailto:henryfarber@dwt.com>]

Sent: Monday, June 22, 2015 3:35 PM

To: Dixon, Tim

Subject: RE: Charter/SLO Negotiations

OK, thanks. I will be on vacation the week of July 20, so we'll look at the following week.

Have a good trip.

Henry

Henry E. Farber | Davis Wright Tremaine LLP
Chair, Employment Services Group
777 108th Ave. NE, Suite 2300 | Bellevue, WA 98004
Tel: (425) 646-6138 | Fax: (425) 646-6199
Email: henryfarber@dwt.com<<mailto:henryfarber@dwt.com>> | Website:
www.dwt.com<<http://www.dwt.com>>

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington,
D.C.

From: Dixon, Tim [mailto:Tim_Dixon@IBEW.org]
Sent: Monday, June 22, 2015 2:59 PM
To: Farber, Henry
Subject: RE: Charter/SLO Negotiations

Henry- I will be on vacation the week of July 7, 2015. How about July 20, 21, 23 or 24 or any day the week of July 27?

Regards,

Tim Dixon
International Representative
IBEW
1840 South Elena Avenue, Suite 108
Redondo Beach, California 90277
Cell: (805) 390-6192
Office: (310) 375-8889
Fax: (888) 320-7519
Email: tim_dixon@ibew.org<mailto:tim_dixon@ibew.org>

From: Farber, Henry [<mailto:henryfarber@dwt.com>]
Sent: Monday, June 22, 2015 2:17 PM
To: Dixon, Tim
Subject: RE: Charter/SLO Negotiations

Tim,

Just checking on whether you've been able to determine whether July 7 works for you and your team.

Thanks,

Henry

Henry E. Farber | Davis Wright Tremaine LLP
Chair, Employment Services Group
777 108th Ave. NE, Suite 2300 | Bellevue, WA 98004
Tel: (425) 646-6138 | Fax: (425) 646-6199
Email: henryfarber@dwt.com<<mailto:henryfarber@dwt.com>> | Website:
www.dwt.com<<http://www.dwt.com/>>

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington, D.C.

From: Farber, Henry
Sent: Friday, June 19, 2015 6:08 PM
To: Dixon, Tim
Subject: RE: Charter/SLO Negotiations

Well, I was going to check on mediator availability if you wanted.

We propose July 7 for our next date. Please let us know as soon as you can.

Thanks.

Henry

Sent from my Windows Phone

From: Dixon, Tim<mailto:Tim_Dixon@IBEW.org>
Sent: 6/19/2015 6:04 PM
To: Farber, Henry<<mailto:henryfarber@dwt.com>>
Cc: Ellyn Moscovitz (EMoscowitz@moscowitzlaw.com)<<mailto:EMoscowitz@moscowitzlaw.com>>; Mark Simonin (mark.simonin@sbcglobal.net)<<mailto:mark.simonin@sbcglobal.net>>; mark.satterfield@sbcglobal.net<<mailto:mark.satterfield@sbcglobal.net>>
Subject: Re: Charter/SLO Negotiations
I will discuss whether we should use a mediator at this point with my team. Please advise on your available dates for the next session.

.Regards,

Tim

Sent from my iPad

On Jun 19, 2015, at 4:43 PM, Farber, Henry
<henryfarber@dwt.com<<mailto:henryfarber@dwt.com><<mailto:henryfarber@dwt.com>%3c<mailto:henryfarber@dwt.com>>>> wrote:

Tim,

Thanks for your comments. At this point, I will not respond to your arguments, but please do not take that as agreement.

One question: do you see any value in involving the mediator in our next meeting? We are ambivalent about that, but don't want to ignore the possibility if you see value.

Henry

Henry E. Farber | Davis Wright Tremaine LLP
Chair, Employment Services Group
777 108th Ave. NE, Suite 2300 | Bellevue, WA 98004
Tel: (425) 646-6138 | Fax: (425) 646-6199
Email: henryfarber@dwt.com<<mailto:henryfarber@dwt.com>><<mailto:henryfarber@dwt.com>> | Website:
www.dwt.com<<http://www.dwt.com>><<http://www.dwt.com>>

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington, D.C.

From: Dixon, Tim [mailto:Tim_Dixon@IBEW.org]
Sent: Friday, June 19, 2015 4:12 PM
To: Farber, Henry
Cc: Ellyn Moscowitz
(EMoscowitz@moscowitzlaw.com<<mailto:EMoscowitz@moscowitzlaw.com><<mailto:EMoscowitz@moscowitzlaw.com>%3c<mailto:EMoscowitz@moscowitzlaw.com>>>>); Mark Simonin
(mark.simonin@sbcglobal.net<<mailto:mark.simonin@sbcglobal.net><<mailto:mark.simonin@sbcglobal.net>%3c<mailto:mark.simonin@sbcglobal.net>>>>);
mark.satterfield@sbcglobal.net<<mailto:mark.satterfield@sbcglobal.net><<mailto:mark.satterfield@sbcglobal.net>%3c<mailto:mark.satterfield@sbcglobal.net>>>>)
Subject: RE: Charter/SLO Negotiations

Henry:

I reviewed your email with our committee. With respect to minimum wage rates, we would be prepared to move on our proposal, but you have made it clear that you are not prepared to move at all on the minimum wage rates. Further, you have made it clear that you only have a little more room with respect to wage increases for the current employees. We have made it clear across the table, that some additional consideration must be given due to the fact that our members have not received a general wage increase (other than increases due to promotions) in nearly two years. Therefore, our proposal is attempting to address a general wage increase for a five year period rather than just the three year term.

We understand your "premise" that we have to do the same as Glendale. We do not agree. Every IBEW local in every county have different rates. It's our premise that at the very least, these workers should receive the raises from last 2 years that the non-union workers got, along with increases that reflect the union employees are on par with or better off than the non-union. Our premises are very different. Although on countless times through out the negotiations you reminded us "we are not the same as Glendale", now when it suits you, want to follow Glendale.

We agree with your proposal that we schedule another session and we would request that the employer reconsider their positions in the interim period. Please give us new dates for additional negotiations.

Tim Dixon
International Representative
IBEW
1840 South Elena Avenue, Suite 108
Redondo Beach, California 90277
Cell: (805) 390-6192
Office: (310) 375-8889
Fax: (888) 320-7519
Email: tim_dixon@ibew.org<mailto:tim_dixon@ibew.org><mailto:tim_dixon@ibew.org>

From: Farber, Henry [<mailto:henryfarber@dwt.com>]
Sent: Friday, June 19, 2015 3:37 PM
To: Dixon, Tim
Subject: Charter/SLO Negotiations

Tim,

Thanks for the proposal at sidebar just now and for the discussion. I thought it would be useful to set out our thoughts in this email so that we can determine how to proceed. This email is not a proposal, but is designed to give you more information about our positions.

First, with respect to the minimum wage rates, we have proposed numbers that we think are useful and appropriate for this market. We also don't think they will affect the current employees, which is appropriate for the establishment of minimums. It appears that we have very different perspectives of what minimums should do. With that in mind, we do not anticipate any movement on our proposed minimums.

We do have a little more room on the across the board wage increases, but nowhere near what you are proposing or apparently expecting. From our perspective, the Glendale/Burbank agreement is a guide to the wage settlement.

We would consider moving the increase to the standby pay to the second year. We also would consider a small bonus upon ratification.

Those are our areas of flexibility. If you think that is enough to put together a deal today, let's go for it. If not, perhaps we should consider another session after some cooling off or even the use of a mediator.

We'll wait for your guidance.

Henry

Henry E. Farber | Davis Wright Tremaine LLP
Chair, Employment Services Group
777 108th Ave. NE, Suite 2300 | Bellevue, WA 98004
Tel: (425) 646-6138 | Fax: (425) 646-6199
Email: henryfarber@dwt.com<<mailto:henryfarber@dwt.com>><<mailto:henryfarber@dwt.com>> | Website:
www.dwt.com<<http://www.dwt.com>><<http://www.dwt.com/>>

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington,
D.C.



June 26, 2015

VIA EMAIL at tim_dixon@ibew.org

Tim Dixon, International Representative
IBEW, 9th District
1840 South Elena Avenue, Suite 108
Redondo Beach, California 90277

**RE: Charter Communications, LLC and IBEW, Local 639
San Luis Obispo, CA**

Dear Mr. Dixon:

Charter Communications, LLC ("Charter") has received objective evidence that Local 639 of the IBEW has, in fact, lost support of a majority of employees in the San Luis Obispo bargaining unit. Charter believes it must live up to its obligation to honor the employees' voluntary exercise of their legal right to decline union representation and that it would violate Section 8(a)(2) of the National Labor Relations Act for Charter to continue recognizing Local 639 as the employees' representative. Effective immediately, Charter hereby withdraws recognition of Local 639 as the bargaining representative of the bargaining unit in San Luis Obispo.

Sincerely,

A handwritten signature in black ink that reads "Wally Bakare".

Wally Bakare
Vice President and General Manager

cc: Cheryl M. Manley, Esq.
Henry E. Farber, Esq.

EXH 7

888.GET.CHARTER
www.charter.com

4781 Irwindale Avenue
Irwindale, CA 91706

Scannell, Michelle

From: Dixon, Tim <Tim_Dixon@IBEW.org>
Sent: Wednesday, July 22, 2015 11:33 AM
To: Scannell, Michelle
Subject: FW: Charter's Withdrawal of Recognition of IBEW, Local 639

Sensitivity: Personal

Flag Status: Completed

Tim Dixon
International Representative
IBEW
1840 South Elena Avenue, Suite 108
Redondo Beach, California 90277
Cell: (805) 390-6192
Office: (310) 375-8889
Fax: (888) 320-7519
Email: tim_dixon@ibew.org

From: Devin Rodgers [mailto:omalleydr@gmail.com]
Sent: Friday, June 26, 2015 4:39 PM
To: <emoscowitz@moscowitzlaw.com>; Mark Simonin; Dixon, Tim
Subject: Fwd: Charter's Withdrawal of Recognition of IBEW, Local 639

Just got this today

Sent from my iPhone

Begin forwarded message:

From: "Rodgers, Devin" <Devin.Rodgers@charter.com>
Date: June 26, 2015 at 4:36:53 PM PDT
To: Devin Rodgers <omalleydr@gmail.com>
Subject: Fwd: Charter's Withdrawal of Recognition of IBEW, Local 639

Sent from my Verizon Wireless 4G LTE DROID

EXH 8

----- Original Message -----

Subject: Charter's Withdrawal of Recognition of IBEW, Local 639
From: "Mendez, Donjahli A" <donjahli.mendez@charter.com>
To: "Aguilar Jr, Jose P" <Jose.Aguilar@charter.com>; "Benson, Tyler A" <Tyler.Benson2@charter.com>; "Berdeja, Ruben" <Ruben.Berdeja@charter.com>; "Christensen, Gregory D" <Gregory.Christensen@charter.com>; "Corwin, Richard P" <Richard.Corwin@charter.com>; "Cullen, Tim D" <Tim.Cullen@charter.com>; "DeHart, Ken M" <Ken.DeHart@charter.com>; "Delevett, Alexis B" <Alexis.Delevett@charter.com>; "Edeen,

Erik J" <erik.edeen@charter.com>,"Goodman, Nikolos D" <Nikolos.Goodman@charter.com>,"Jandle, Calvin C" <Calvin.Jandle@charter.com>,"Jolley, Andrew R" <Andrew.Jolley@charter.com>,"Luzania, Aaron M" <Aaron.Luzania@charter.com>,"Mansfield, Jacoby B" <Jacoby.Mansfield@charter.com>,"McKinney, Scott M" <Scott.McKinney@charter.com>,"Mercado, Roman H" <Roman.Mercado@charter.com>,"Meza, Julio C" <Julio.Meza@charter.com>,"Munguia, Felix" <Felix.Munguia@charter.com>,"Murphy, Justin W" <Justin.Murphy@charter.com>,"Nava, Philip A" <Philip.Nava@charter.com>,"Navarro, Robert V" <Robert.Navarro@charter.com>,"O'Hagan, David P" <david.ohagan@charter.com>,"Paredes Mejia, Enrique" <Enrique.ParedesMejia@charter.com>,"Paulsen, John B" <John.Paulsen@charter.com>,"Price, Jackson J" <Jackson.Price@charter.com>,"Quintana Jr Jr, Rick" <rick.quintanajr@charter.com>,"Quintana, David J" <David.Quintana@charter.com>,"Raby, James D" <James.Raby@charter.com>,"Rahbar, Daniel F" <Daniel.Rahbar@charter.com>,"Ramirez, Edgar H" <Edgar.Ramirez@charter.com>,"Ramirez, Hugo H" <Hugo.Ramirez@charter.com>,"Robertson, Brenden" <Brenden.Robertson@charter.com>,"Rodriguez Jr, Eduardo G" <Eduardo.Rodriguez@charter.com>,"Salgado, Harmony B" <Harmony.Salgado@charter.com>,"Sanders, Joshua D" <Joshua.Sanders@charter.com>,"Sanders, Sean A" <Sean.Sanders@charter.com>,"Sandoval, Arik R" <Arik.Sandoval@charter.com>,"Smith, Steve C" <Steve.Smith5@charter.com>,"Steel, John" <John.Steel@charter.com>,"Strebin, Ellery A" <Ellery.Strebin@charter.com>,"Thompson, Scott M" <Scott.Thompson@charter.com>,"Vedrin II, William G" <william.vedrin@charter.com>,"Carino, Ruben A" <Ruben.Carino@charter.com>,"Dunstan, Greg B" <Greg.Dunstan@charter.com>,"England, Brian E" <Brian.England@charter.com>,"Evans, Mathew P" <Mathew.Evans@charter.com>,"Galarza, Marlene B" <Marlene.Galarza@charter.com>,"Gentry, Chad M" <Chad.Gentry@charter.com>,"Goodwin, Jimmy D" <Jimmy.Goodwin@charter.com>,"Hanna, Steven S" <Steven.Hanna@charter.com>,"Hernandez, Edgar O" <Edgar.Hernandez@charter.com>,"Moody, Fenton A" <Fenton.Moody@charter.com>,"Patterson, David T" <David.Patterson@charter.com>,"Rodgers, Devin" <Devin.Rodgers@charter.com>
 CC: "Bakare, Wally" <Wally.Bakare@charter.com>,"Dressler, Gary O" <Gary.Dressler@charter.com>,"Jones, Dennis" <Dennis.Jones@charter.com>,"Noel, George J" <George.Noel@charter.com>,"Vedrin II, William G" <william.vedrin@charter.com>,"Van Hise, Kevin L" <Kevin.VanHise@charter.com>,"Gray, Jessie C" <jessie.gray@charter.com>,"Christensen, Gregory D" <Gregory.Christensen@charter.com>,"Meza, Julio C" <Julio.Meza@charter.com>,"O'Hagan, David P" <david.ohagan@charter.com>,"Steel, John" <John.Steel@charter.com>

THIS MESSAGE HAS BEEN SENT ON BEHALF OF WALLY BAKARE, VPGM:

Team,

Earlier this week, we received a petition from employees in San Luis Obispo demonstrating that a majority no longer want to be represented by the IBEW. Once we have this knowledge, it would be illegal for Charter to continue bargaining with the IBEW. As a result, earlier today, I sent the IBEW a letter advising the IBEW that Charter would no longer consider the Union the

representative of our techs in SLO.

We will respect the decision of the majority and are grateful that you have chosen to work directly with Charter as we continue to grow, improve the work environment, and provide superior service and products to our customers. I am currently in Nigeria, but once I return to the office next week, I will immediately begin conversations with our leaders about the changes that will need to be made to reintegrate the SLO employees into Charter's workforce. We will keep you updated as we finalize these decisions. Please stay tuned.

Thank you.

Wally

Dr. Mark Davis

805-238-2173

p.2

Charter Communications, LLC
Case 31-CA-155081

Supplemental Telephone Confidential Witness Affidavit

I, Brian England, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 On about June 28, 2015, the Employer notified the employees that it was withdrawing
2 recognition from the Union. In or about late July 2015, after I returned from my 2-week
3 vacation, my supervisor, Jesse Gray, and Kevin Van Hise, Maintenance Manager, met with me
4 to tell me that I would be getting a pay raise retroactive to June 28, 2015. Gray told me that my
5 increase would be 6%. Gray asked me if I was happy with that increase. I said it was better than
6 nothing. Gray told me that other techs had received up to 14%.

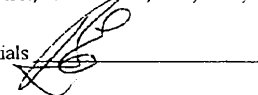
7 I was on call from August 10 to 17, 2015. Prior to the Employer's withdrawal of
8 recognition, I was paid \$25/day for being on call. This past week when I was on call, the pay was
9 \$35/day.

Privacy Act Statement

The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website, www.nlrb.gov. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

- 1 -

Initials



Case 31-CA-155081

- 1 On August 19, 2015, I received an email from Wally Bakare, Area VP, announcing the
- 2 finalized System Techs Scorecard. A copy of the email is attached as Exhibit 1.

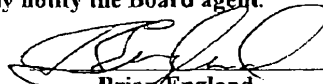
I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 2 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date:

8/20/15

Signature:


Brian England

Signed and sworn to before me by telephone on August 20, 2015 at

Los Angeles, CA
MICHELLE SCANNELL

Board Agent

National Labor Relations Board

- 2 -

Initials:



Dr. Mark Davis

805-238-2173

p.4

Case 31-CA-155081

EXHIBIT 1

----- Original Message -----

Subject: Fwd: Great News - System Techs Scorecard

From: "England, Brian E" [REDACTED]

Date: Wed, August 19, 2015 5:18 pm

To: Ellyn Moscovitz <emoscowitz@moscowitzlaw.com>

Sent from my Droid Charge on Verizon 4G LTE
 Good news all! regards & happy days, Kevin :)

From: Bakare, Wally

Sent: Wednesday, August 19, 2015 4:39 PM

To: David, Benjamin M; Ibarra, Jesus; Lindsay, Timothy E; Lopez, Ron; Martinez, Henry S; Noel, George J; Odenthal, Patrick H; Toruno, Jorge; Van Hise, Kevin L

Cc: Dressler, Gary O; Jones, Dennis; Mendez, Donjahli A; Siddiq, Jabbar A; Stephenson, Terri

Subject: Great News - System Techs Scorecard

Importance: High

Dear System Technicians,

After several months of working on tweaking the new system tech scorecard, George and I are very happy to formally share with you that we now have a finalized and accurate scorecard.

You may ask why is this important specifically for all non-union employees?

1. The scorecard will be used as part of your annual performance review at the end of the year which drives your merit increase for 2016

a. The key effectiveness areas that measures your behaviors and how effectively you perform your job will be 75% of your overall year end performance rating

b. The scorecard will make up the remaining 25%. (note that for BBTs, the scorecard will be 50% of their ratings for the 1st time this year)

2. With the scorecard in place now, system techs will participate in the off cycle Performance Achievements Award pay increases in the fall (date is still to be determined)

a. HR is assembling a policy document (similar to the BBT plan) that will provide detailed explanation of how this pay increase will be implemented

I hope you agree with me that this is a great development for all of our non union system technicians. With a formal scorecard now in place, and the weekly progress report you should be getting from your supervisor, we are continuing to invest in the performance improvement of all our employees.

If you have any questions, please reach out to your manager, George Noel or me.

3 -

Initials: 

Dr. Mark Davis

805-238-2173

p.5

Case 31-CA-155081

Best Regards
Wally

[cid:image001.png@01D0DA99.CE1887F0]

Wally Bakare | Area Vice President | California
4781 Irwindale Ave| Irwindale| CA 91706 | 626-430-3315

- 4 -

Initials:

A handwritten signature in black ink, appearing to be 'Wally', written over a horizontal line.

AUG-21-2015 07:45

805 238 2173

94%

P.05

Charter Communications, LLC
Case 31-CA-150248

Confidential Witness Affidavit

I, Nik Goodman, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I am a senior broadband technician for Charter. I have been with Charter for almost 1.5
2 years. My direct supervisor is John Steele, Broadband Supervisor. Steele is over about 8-10
3 employees in his department. Bill Vedrin is the Manager over Steele.

4 In early April 2015, after hearing about the decertification petition from a co-worker, I
5 contacted Vedrin and asked to meet with him. Then, about 2 days later, Gary Dressler, Director
6 of HR, did a "ride along" with me for at least 5 hours. Dressler talked to me about rewards
7 available through Charter. He talked to me about performance raises that other employees were
8 getting at other yards. While I was with Dressler, I asked him if we decertified the Union what
9 about the fact that we had lost a year's worth of increases. Dressler said that legally he couldn't

Privacy Act Statement

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- 1 -

Initials NG

Case 31-CA-150248

5/8/2015

1 promise me anything, but he thought that Charter would do something for us if we decertified.
2 Dressler said that the Union had no leverage to get anything better than what the Glendale Yard
3 got through negotiations.

4 I have heard multiple times from Vedrin that the Employer cannot provide any wage
5 increases or other benefits because they were in the middle of negotiations with the Union. I
6 have asked Vedrin a number of time for a 4/10 work hour schedule. He has told me that they
7 could not offer a new schedule because of the Union.

8

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 2 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: May 8, 2015

Signature:


Nik Goodman


Signed and sworn to before me on May 8, 2015 at

San Luis Obispo, CA


MICHELLE SCANNELL
Board Agent
National Labor Relations Board

- 2 -

Initials:



Charter Communications, LLC
Case 31-CA-161408

Confidential Witness Affidavit

I, Scott McKinney, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

- 1 I am level 3 broadband tech (BBT). I earn \$20.39/hour. I work 8 a.m. to 5 p.m., Sunday
2 through Thursday. My supervisor is John Steele.
3 The Employer held a 4/10 work schedule election in July 2015. All employees in the tech
4 ops department were eligible to vote in the election. Included in the tech ops department are
5 BBTs, advanced broadband installers, senior BBTs, and Charter business techs. There were
6 about 36-37 employees who eligible to vote in the 4/10 schedule election. Two weeks prior to
7 the July 4/10 election, Charter held a meeting to discuss the 4/10 work week. There were about
8 36 employees at the meeting. Technical Operations Supervisors John Steele, Julio Meza, and
9 Felix Munguia were present. Also present were Bill Vedrin, Tech Ops Manager, Gary Dressler,

Privacy Act Statement

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- 1 -

Initials SM

Case 31-CA-161408

10/19/2015

1 HR VP, and Wally Bakare, VP of West Ops. During this meeting, Bakare did most of the
2 talking. Bakare said that Charter wanted to move shifts to match the needs of the customer. If the
3 4/10 work week passed, everyone would be moved to 8 a.m. to 7 p.m. Bakare said that there
4 would be a few 10 a.m. to 9 p.m. shift option, but if no one would cover them, then Charter
5 would not force us, they would hire contract people to take those shifts.

6 Vedrin said that if the 4/10's did not pass, then this would be revisited to meet the need of
7 later hours for the customers. I do not remember anything else in particular that was said at this
8 meeting.

9 At the vote count for the July 2015 election, SM after we learned that the 4/10 work schedule
10 had been voted down.

11 In about mid-August, at a Tuesday morning meeting with Vedrin and SteeleSM, Vedrin said
12 that Charter would be moving almost everyone to a 10 a.m. to 7 p.m. schedule since the 4/10
13 work schedule had not passed. Vedrin said that some employees would move to 12 p.m. to 9
14 p.m. shift. I spoke up and said, since the vote failed, we are going to be forced into a start time
15 of either 10 a.m. or 12 p.m. Vedrin said that is not the way that we would like it phrased. Scott
16 Thompson, David Quintana, Justin Murphy, Brenden Robertson, Nick Goodman, and Eduardo
17 Rodriguez were the employees at this meeting. I do not remember anything else being said about
18 work schedules at this meeting.

19 On October 8, 2015, the Employer held a meeting regarding the 4/10 work schedule
20 election, which was scheduled for October 22, 2015. Technical Operations Supervisors John
21 SteeleSM, Julio Meza, and Felix Munguia were present. Also present were Bill Vedrin, Tech Ops
22 Manager, Gary Dressler, HR VP, Patty Margone, SLO's HR rep, and another HR representative
23 whose name I do not know. At this meeting, Dressler did most of the talking at this meeting.

Case 31-CA-161408

10/19/2015

1 Dressler said that if the 4/10 schedule passed, most employees who would work 8 a.m. to
 2 7 p.m., and 3 BBTs or BBTs senior would work 10 a.m. to 9 p.m. Dressler presented this later
 3 shift as a mandatory shift, and did not say anything about contract employees covering the later
 4 shift. Dressler said that under the 5/8 schedule, only 4 BBT's or BBT seniors would be starting at
 5 8 a.m., and there would be 3 employees who work start work at 12 p.m., and the remainder
 6 would start work at 10 a.m. He did not say that Charter would get contract workers to cover this
 7 later shift. I do not remember anything else about this meeting.

8 At 4:57 p.m., on October 15, 2015, my supervisor John Steele called me and told me that
 9 the 4/10 election was going to be cancelled. He said that the Union filed an injunction, and now
 10 Charter had decided to err on the side of caution and postpone the election.

11 I have not had any further conversations with supervisors or management about the 4/10
 12 work schedules or the 4/10 work schedule elections.

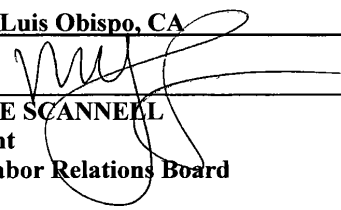
I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 3 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: October 19, 2015Signature: 

Scott McKinney

Signed and sworn to before me on October 19, 2015 atSan Luis Obispo, CA


 MICHELLE SCANNELL
 Board Agent
 National Labor Relations Board

- 3 -

Initials: SM

Charter Communications, LLC
Case 31-CA-150248

Confidential Witness Affidavit

I, Darren Moran, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I am a Technical Quality Assurance (TQA) Inspector 1 for Charter. I have been with
2 Charter for almost 4 years. My direct supervisor is Frank Luzania, TQA supervisor and audit.

3 //

4 //

5 //

6 //

7 //

8 //

9 //

Privacy Act Statement

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- 1 -

Initials



Case 31-CA-150248

5/9/2015

1 In March or April 2015, I had a conversation with Bill Vedrin, Technical Operations
2 Manager, and a co-worker. The co-worker told Vedrin that he had a possible candidate for
3 employment. Vedrin told my co-worker that he would first have to convince him that the
4 candidate was 100% anti-union. Vedrin said that he would even interview the candidate unless
5 my co-workers was sure that he was anti-union.
6

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 2 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: May 9, 2015

Signature:


Darren Moran

Signed and sworn to before me on May 9, 2015 at

San Luis Obispo, CA


MICHELLE SCANNELL
Board Agent
National Labor Relations Board

- 2 -

Initials:



Charter Communications, LLC
Case 31-CA-150248

Confidential Witness Affidavit

I, Justin Murphy, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I am a business broadband technician for Charter. I have been with Charter for almost 10
2 years. My direct supervisor is John Steele, Broadband Supervisor. Steele is over about 12
3 employees in his department. Bill Vedrin is the Manager over Steele.

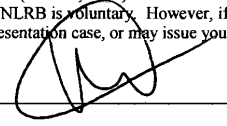
4 In mid-summer 2014, Vedrin interviewed me for a supervisor position. Kevin Van Hise,
5 *and Patty Mardon from HR,* Maintenance Manager, was also present. During the interview, Vedrin asked me, as a supervisor,
6 what would I do to ensure the dismissal of the Union. I dodged the question and beat around the
7 bush. I said that I would focus on getting happy employees, because happy employees were more
8 productive.

Privacy Act Statement

The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

- 1 -

Initials



Case 31-CA-150248

5/8/2015

1 In about October or November 2014, Vedrin called me into his office one-on-one. He
2 told me that he wanted to discuss ways I could improve on my interviewing skills. Vedrin told
3 me I needed to be more direct when I answered questions. He explained that he wanted me to
4 take a more active leadership role and he wanted to make sure I was going to have some projects
5 to head up. He mentioned that, even though I said I wasn't pro-union, I did not do anything to
6 prevent the union from winning the election. He wanted to make sure I understand that I could
7 help play a leadership role. He said that if I needed any information to help decertify the Union,
8 all I had to is ask him for it. He explained that he played an active role in decertifying the Union
9 in about 2002, and that he would really like to see it go away.

10 About a week later, in October or November 2014, I asked for a meeting with Patty
11 Mardon, HR representative, to discuss my conversation with Vedrin. I related the whole
12 conversation between me and Vedrin to Mardon. She told me that she could assure that by
13 answering the anti-union statement during the interview process played no role in management
14 making its decision to not promote me to supervisor. I asked Mardon whether it was even okay
15 for Vedrin to ask a question like that in an interview. She said that it was a legitimate question to
16 ask in an interview.

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- 2 -

Initials: 

Case 31-CA-150248

5/8/2015

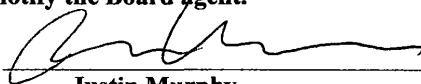
1 Early in 2015, I asked to meet with Mardon because of what had happened in an all
 2 Broadband tech meeting in January 2015. At the meeting in January 2015, a co-worker made an
 3 anti-Union statement. I pulled that employee aside after the meeting and told him that in the
 4 employees had agreed that we wouldn't talk about the Union while at work. He said, try and stop
 5 me. I told Mardon about the conversation, and she said that because Union representatives were
 6 talking to Charter employees in the field about the Union, it was only fair that supervisors and
 7 co-workers could talk about anti-Union sentiments, as well.
 8

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 3 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: May 8, 2015

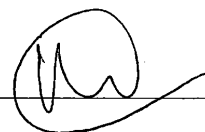
Signature:


 Justin Murphy
Signed and sworn to before me on May 8, 2015 atSan Luis Obispo, CA

 MICHELLE SCANNELL
 Board Agent
 National Labor Relations Board

- 3 -

Initials:



Charter Communications, LLC
Case 31-CA-161408

Confidential Witness Affidavit

I, Justin Murphy, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I have given a previous affidavit in a previous charge related to my Employer. I am a
2 business broadband tech. I work 8 a.m. to 5 p.m., Monday through Friday.

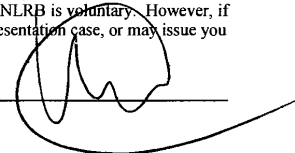
3 The Employer held a 4/10 work schedule election in July 2015. Broadband techs,
4 advanced broadband installers, disconnect techs, were the classifications voting for a 4/10 work
5 schedule. There were about 47 employees who eligible to vote in the 4/10 schedule election.
6 Two weeks prior to the July 4/10 election, Charter held a meeting to discuss the parameters of
7 the 4/10 work week. There were about 40-45 employees at the meeting. Technical Operations
8 Supervisors John Steele, Julio Meza, and Felix Munguia were present. Also present were Bill
9 Vedrin, Tech Ops Manager, Gary Dressler, HR VP, and Wally Bakare, VP of West Ops. During

Privacy Act Statement

The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

- 1 -

Initials



Case 31-CA-161408

10/19/2015

1 this meeting, Bakare did most of the talking. Bakare said that they were conducting the election
2 because the 4/10 schedule was what the techs wanted. Bakare said that one of the schedules to be
3 offered under the 4/10 schedule would be 10 a.m. to 9 p.m. Bakare said that Charter would
4 probably get contractors to cover this later shift. I do not remember if Bakare said what would
5 happen if the employees voted "no" in the election. I do not remember anything else in particular
6 that was said at this meeting.

7 At the vote count for the July 2015 election, after we learned that the 4/10 work schedule
8 had been voted down, there were about 3-5 employees who questioned Bakare immediately
9 about when the employees could vote again on the 4/10 work schedule. Bakare said he wasn't
10 sure, but he would look into it. He he would have to take it back to management, but that we
11 could probably vote again in a few months.

12 On October 8, 2015, the Employer held a meeting regarding the 4/10 work schedule
13 election, which was scheduled for October 22, 2015. Technical Operations Supervisors John
14 Steele, Julio Meza, and Felix Munguia were present. Also present were Bill Vedrin, Tech Ops
15 Manager, Dennis Johnson, Director of Tech Ops, Gary Dressler, HR VP, Patty Margone, SLO's
16 HR rep, and another HR representative whose name I do not know. At this meeting, Dressler did
17 most of the talking.

18 Dressler said that if the 4/10 schedule did not pass, the 5/8 schedule would be changed to
19 10 a.m. to 7 p.m. for most broadband techs. He also said the 3 broadband techs would work 12
20 p.m. to 9 p.m. He did not say that Charter would get contract workers to cover this later shift.
21 Dressler said that business techs and a handful of broadband techs who could prove a hardship
22 would retain the 8 a.m. to 5 p.m. schedule. Under the 4/10 work schedule, Dressler stated that
23 Charter would have a 10 a.m. to 9 p.m. shift, but that Charter would probably get contract

- 2 -

Initials: 

Case 31-CA-161408

10/19/2015

1 workers to handle those shifts. Dressler did not say anything else about the work hours under a
2 4/10 or a 5/8 schedule. Dressler also reminded us that there needed to be a 2/3's majority for the
3 schedule to pass. Anyone not present to vote would be counted as a "no." I do not remember
4 anything else about this meeting.

5 At 3:23 p.m., on October 15, 2015, I received an email from Wally Bakare regarding the
6 Union and proposed work schedules. A copy of this email is attached as Exhibit 1. About one
7 hour after this email went out, my supervisor John Steele called me and told me that the 4/10
8 election was going to be cancelled. He did not say why the election was cancelled. He did not
9 say anything else during this conversation.

10 On Friday, October 16, 2015, Manager Vedrin was speaking to Julio Meza's team and I
11 was in the back of the room working on a special project. Meza's team includes about 10 techs.
12 An employee asked about the 4/10 work schedule election, Vedrin said that "those guys"
13 complained and now the election was being set aside and "we were just going to move forward."
14 This is all that I heard about the 4/10 election at that time.

15 I have not had any further conversations with supervisors or management about the 4/10
16 work schedules or the 4/10 work schedule elections.

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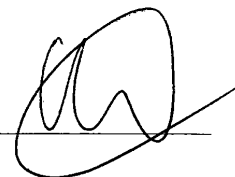
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- 3 -

Initials:

A handwritten signature in black ink, consisting of a large, stylized 'W' or 'V' shape followed by a horizontal line and a diagonal stroke.

Case 31-CA-161408

10/19/2015

1 I would state that Union support at Charter is still strong. I have heard from employees
2 that they are frustrated by Charter's managers about the way they have been presenting
3 information because there is a lot of conflicting information. I have not talked to anyone that was
4 a Union supporter, but changed their mind and no longer supports the Union. I have, however,
5 seen employees change their minds about the Union and begin supporting the Union.
6

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 4 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: October 19, 2015

Signature: 

Justin Murphy

Signed and sworn to before me on October 19, 2015 at

San Luis Obispo, CA


MICHELLE SCANNELL
Board Agent
National Labor Relations Board

- 4 -

Initials: 

Mark Satterfield

From: England, Brian E [REDACTED]
Sent: Monday, October 19, 2015 6:05 PM
To: Mark Satterfield
Subject: Fwd: Charter's Sole Discretion on Operational Decisions
Attachments: image001.png

10-15-15 orig sent @ 3:23 pm

Sent from my Droid Charge on Verizon 4G LTE Dear Colleagues,

I realize you have received multiple messages both from me and the attorney representing the IBEW. I understand that many of you would prefer to simply focus on serving our customers and performing your job well. However, I want to make sure there is no confusion about the IBEW and where we stand today.

As I have reiterated numerous times, based on the choice of a majority of you not to be represented by the IBEW, Charter withdrew its recognition of the IBEW – as required by federal law – in June. Since that time, the leadership team has worked with you directly to improve your overall work experience. Specifically, we have made changes that better reflect the programs and incentives offered to other technicians in California and across the organization. Many of you have even expressed your appreciation for the changes.

The IBEW continues to challenge our decision to cease recognizing it as your representative. At some point, a judge will decide whether your choice should be upheld. Because we firmly believe that our actions have been lawful, we are hopeful that the judge will not ignore the choice made by you.

Until the legal question is decided by a judge (which is unlikely to happen for a number of months), Charter's leadership team will continue to work with you directly and will make operational decisions necessary for the success of the business and the satisfaction of our customers. This includes working with you to develop new work shifts and schedules. To clarify, the IBEW has no role in any of these operational decisions. In fact, the IBEW cannot prevent us from scheduling another vote regarding the 4x10 shifts and whatever the outcome of the vote, we will follow the law by honoring it. The IBEW also cannot prevent us from creating new work shifts. Those decisions are within the sole discretion of Charter's leadership.

Just so you know, under the contract with the IBEW in Glendale/Burbank, the techs do not have the opportunity to vote on work shifts. Instead, the decision to implement 4x10 shifts or any other shift is left entirely to Charter. Last year, we simply told the techs what their new shifts would be and when they will move to the new shift.

I look forward to continuing to work with you to make Charter an even better place to work and a provider of superior products and services to our customers. As always, please let us know if you have any questions or concerns that need to be addressed.

Thanks
Wally

[cid:image001.png@01D10759.7C2BBCE0]

Wally Bakare | Area Vice President | California
4781 Irwindale Ave | Irwindale | CA 91706 | 626-430-3315

Charter Communications, LLC
Case 31-CA-150248

Confidential Witness Affidavit

I, John Paulsen, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I am a commercial business technician for Charter. I have been with Charter for almost 4
2 years. I am a member of the bargaining committee. There is one other employee who is on the
3 committee – Devin Rodgers. IBEW won the Union election on April 21, 2014. There has been
4 no contract since that time. I have attended about 2 two-day bargaining sessions – one of these
5 sessions was in October 2014 and one was in April 2015.


6 My direct supervisor, David O'Hagan, Technical Operations Supervisor. O'Hagan is over
7 about 7-8 employees in his department. All of these employees are in the Unit. Bill Vedrin is
8 over O'Hagan. Vedrin's title is Technical Operations Manager. Vedrin is over the SLO and
9 Porterville operations.

Privacy Act Statement

The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

- 1 -

Initials



Case 31-CA-150248

5/8/2015

1 Although I cannot be sure when, both Vedrin and Wally Bakare, Director of Technical
2 Operations , have stated in a weekly meeting with O'Hagan and the employees in my department
3 that SLO would not get a raise because of the Union and because it had to be negotiated. Yearly
4 raises are usually provided in about April. I last received a yearly raise in about April 2013. It
5 was my understanding that raises were provided yearly on a merit basis. I know some employees
6 who have not received merit based raises in the past 3-4 years. In about November 2014, I
7 received a promotional raise when I went from a senior technician to a commercial business
8 technician. In December 2013, I also received a promotional raise when I went from broadband
9 technician to senior technician.

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 2 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

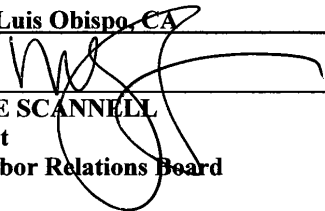
Date: May 8, 2015

Signature:


John Paulsen

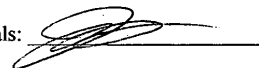
Signed and sworn to before me on May 8, 2015 at

San Luis Obispo, CA


MICHELLE SCANNELL
Board Agent
National Labor Relations Board

- 2 -

Initials:



Charter Communications, LLC
Case 31-CA-161408

Confidential Witness Affidavit

I, John Paulsen, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I am a level 5 broadband tech (BBT). I earn \$20.12/hour. I work 8 a.m. to 5 p.m., Sunday
2 through Thursday. My supervisor is Carlos Escobar.

3 The Employer held a 4/10 work schedule election in July 2015. All broadband tech
4 employees were eligible to vote in the election. There were about 40 employees eligible to vote
5 in the 4/10 schedule election. Two weeks prior to the July 4/10 election, Charter held a meeting
6 to discuss the 4/10 work week. There were about 36 employees at the meeting. Technical
7 Operations Supervisors John Steele, Julio Meza, and Felix Munguia were present. Also present
8 were Bill Vedrin, Tech Ops Manager, Gary Dressler, HR VP, and Wally Bakare, VP of West
9 Ops. During this meeting, Bakare did most of the talking.

Privacy Act Statement

The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

- 1 -

Initials 

Case 31-CA-161408

10/19/2015

1 Bakare gave us the rundown of what would happen if the 4/10 work schedule passed. He
2 said that most employees would work 8 a.m. to 7 p.m. Bakare said that there would be two
3 employees who would work 10 a.m. to 9 p.m. Bakare said that they would see if anyone
4 volunteered to work that schedule. If no one volunteered, then they would pick employees based
5 on their scorecards and seniority. An employee asked if the employees voted in 4/10's and did
6 not like it, could the employees vote to go back to 5/8's. Bakare said, "no." In this meeting, there
7 was no mention what would happen if the 4/10's did not pass. I do not remember anything else
8 in particular that was said at this meeting.

9 At the vote count for the July 2015 election, we learned that the 4/10 work schedule had
10 been voted down. At the vote count, an employee asked when they could re-vote for 4/10
11 schedule. Vedrin said that he would have to take it to upper management and see when another
12 vote would be possible.

13 On October 8, 2015, the Employer held a meeting regarding the 4/10 work schedule
14 election, which was scheduled for October 22, 2015. Technical Operations Supervisors John
15 Steele, Julio Meza, and Felix Munguia were present. Also present were Bill Vedrin, Tech Ops
16 Manager, and Gary Dressler, HR VP. At this meeting, Dressler did most of the talking at this
17 meeting.

18 Dressler presented the same information that Bakare had in July 2015 as to what would
19 happen if the 4/10 work schedule passed. Dressler, however, also discussed at this meeting what
20 would happen if the 4/10 work schedule did not pass. He said that the majority of employees on
21 the 5/8 schedule would work 10 a.m. to 7 p.m. He said that there would be 4 Charter business
22 techs who worked Monday through Friday, 8 a.m. to 5 p.m., 4 Charter business techs who
23 worked Monday through Friday, 10 a.m. to 7 p.m., 2 BBTs who would work 12 p.m. to 9 p.m.,

- 2 -

Initials: 

Case 31-CA-161408

10/19/2015

1 and the rest of the BBTs would work 10 a.m. to 7 p.m. Dressler said that if an employee
2 presented Charter with a hardship as to the new schedule, Charter would accommodate them as
3 best as it could. Dressler said that Charter would first take volunteers to work the 12 p.m. to 9
4 p.m. shift, and that if the shift was not beneficial for the customers they would do away with the
5 shift. If they did not get volunteers for the 12 p.m. shift, then they would consider scorecards and
6 seniority for assigning the shifts. I do not remember anything else about this meeting.

7 On October 15, 2015, my co-worker Brenden Robertson called me and told me that the
8 4/10 election was going to be cancelled.

9 I have not had any further conversations with supervisors or management about the 4/10
10 work schedules or the 4/10 work schedule elections.

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- 3 -

Initials: 

Case 31-CA-161408

10/19/2015

1 I feel like the majority of employees still support the Union. I have not heard from any
2 employees that they no longer support the Union, even though they may have in the past. I have
3 not heard of any employees who had been anti-Union and are now pro-Union. About one
4 employee/week asks me about how things are going with the Union.

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 4 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: October 19, 2015

Signature: _____


John Paulsen

Signed and sworn to before me on October 19, 2015 at _____

San Luis Obispo, CA



MICHELLE SCANNELL
Board Agent
National Labor Relations Board

- 4 -

Initials: _____

Charter Communications, LLC
Case 31-CA-161408

Confidential Witness Affidavit

I, Brenden Robertson, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I have given previous affidavits in previous charges related to my Employer. I was
2 promoted to broadband tech senior last week. Prior to that, I was a broadband tech. I am
3 currently earning \$21.72/hour. I work 8 a.m. to 5 p.m., Sunday through Thursday. About half of
4 the broadband techs work this schedule, and about half broadband techs work 10 a.m. to 7 p.m.,
5 Tuesday through Saturday. There are 3 Charter business techs that work 8 a.m. to 5 p.m.,
6 Monday through Friday.

7 The Employer held a 4/10 work schedule election in July 2015. Broadband techs were the
8 only classification voting for a 4/10 work schedule. The schedule was not being offered to
9 system techs. Two weeks prior to the July 4/10 election, Charter held a meeting to discuss the

Privacy Act Statement

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- 1 -

Initials

BR

Case 31-CA-150248

10/19/15
5/8/2015 (B)

1 parameters of the 4/10 work week. There were about 30-35 broadband techs at the meeting.
2 Technical Operations Supervisors John Steele, Julio Meza, and Felix Munguia were present.
3 Also present were Bill Vedrin, Tech Ops Manager, Dennis Jones, (title unknown), Gary Dressler,
4 HR VP, Wally Bakare, VP of West Ops. During this meeting, Bakare did most of the talking.
5 Bakare set out the parameters of the 4/10 work schedule, if it were passed. Bakare also stated
6 that Charter was working on an alternative 5/8 schedule if the 4/10's did not pass. Bakare
7 explained that all of the 8 a.m. to 5 p.m. shifts, except for two, would be eliminated, and that all
8 remaining broadband techs would work 10 a.m. to 7 p.m., instead. Bakare said only employees
9 who could prove a hardship would be allowed to retain the 8 a.m. to 5 p.m. schedule. Dressler
10 explained that under the 4/10 work schedule, employees would only be allowed to claim 8
11 hours/day of vacation or sick leave. Therefore, if I took 4 days off, even though I would have
12 been scheduled for 40 hours, I would only earn 32 hours of pay. The same was true if there were
13 a holiday – the employees would get 8 hours of pay, not 10 hours, as scheduled. Bakare
14 explained that the 4/10 schedule had to pass with 2/3's majority. Bakare also stated at this
15 meeting that Charter was considering other alternative work hours, including a 10 a.m. to 9 p.m.
16 shift under the 4/10 schedule, or a 12 p.m. to 9 p.m. shift under the 5/8 schedule. I do not
17 remember anything else that was stated at this meeting. At the July election, the employees voted
18 down the 4/10 work week.

19 There was another vote for a 4/10 work schedule election scheduled for Thursday,
20 October 22, 2015. My supervisor John Steele called me last Thursday, October 15, 2015, in the
21 afternoon, and told me that the 4/10 election was going to be postponed indefinitely because
22 some guys had gone to the Union and the NLRB and the Employer did not want another

- 2 -

Initials: 

Case 31-CA-150248

10/19/15
5/8/2015

1 distraction. This phone call only lasted 2-3 minutes. I don't remember anything else said during
2 this conversation.

3 I have not had any further conversations with supervisors or management about the 4/10
4 work schedules or the 4/10 work schedule elections.

5 I would guess that a slim majority of employees still support the Union. I have not talked
6 to anyone that was a Union supporter, but changed their mind and no longer supports the Union.
7 I have, however, seen employees change their minds about the Union and being to support the
8 Union.

9

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 3 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: October 19, 2015Signature: **Brenden Robertson**Signed and sworn to before me on October 19, 2015 atSan Luis Obispo, CA


MICHELLE SCANNELL
Board Agent
National Labor Relations Board

- 3 -

Initials: 

Charter Communications, LLC
Case 31-CA-161408

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Supplemental Confidential Witness Affidavit

I, **Brenden Robertson**, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I have given a previous affidavit in this charge.

2 On October 8, 2015, the Employer held a meeting regarding the 4/10 work schedule
3 election, which was scheduled for October 22, 2015. Technical Operations Supervisors John
4 Steele, Julio Meza, and Felix Munguia were present. Also present were Bill Vedrin, Tech Ops
5 Manager, and Gary Dressler, HR VP. At this meeting, Dressler did all of the talking. Dressler
6 stated that all of the 8 a.m. to 5 p.m. shifts, except for two, would be eliminated if the 4/10 work
7 schedule was voted down. He said all remaining broadband techs would work 10 a.m. to 7 p.m.,
8 instead. Dressler said only employees who could prove a hardship would be allowed to retain the
9 8 a.m. to 5 p.m. schedule. Dressler also stated at this meeting that Charter was considering other

Privacy Act Statement

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- 1 -

Initials



Case 31-CA-161408

10/19/2015

- 1 alternative work hours such as 12 p.m. to 9 p.m. shift under the 5/8 schedule. Dressler also
- 2 reminded us that there needed to be a 2/3's majority for the schedule to pass. Anyone not present
- 3 to vote would be counted as a "no." I do not remember anything else about this meeting.
- 4

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 2 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: October 19, 2015

Signature: 

Brenden Robertson

Signed and sworn to before me on October 19, 2015 at

San Luis Obispo, CA


MICHELLE SCANNELL
Board Agent
National Labor Relations Board

- 2 -

Initials: 

Charter Communications, LLC
Case 31-CA-150248

Confidential Witness Affidavit

I, Brenden Robertson, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED] m 

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, SLO, CA 93401

1 I am a broadband technician for Charter. I have held this position since July 2014. Prior
2 to this, I was a lead in the Front Lobby for Charter. I began with Charter in February 2013. I am
3 a member of IBEW Local 639 (IBEW). IBEW won the Union election on April 21, 2014. There
4 has been no contract since that time. My direct supervisor, as of yesterday, is John Steele,
5 Technical Operations Supervisor. Before that, my direct supervisor was Gregory Christensen,
6 Technical Operations Supervisor. Christensen made a lateral move to another supervisor
7 position. Bill ^{Vedrin} ~~Veteran~~ is the Manager of Technical Operations and is above Steele. Veteran runs
8 the SLO and Porterville operations. Steele is one of four supervisors at SLO. There are 30
9 technicians in the Unit at SLO. The Unit includes system technicians and broadband technicians.

Privacy Act Statement

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- 1 -

Initials 

Case 31-CA-150248

5/8/2015

1 On a Tuesday in or about January 2015, Bill Veteran called me into his office after a
2 team meeting. At the time, my team meetings were held by Christensen on every Tuesday. There
3 are a total of 8 technicians on the team. Veteran attends these Tuesday team meetings
4 approximately half the time. Veteran and I were in his office talking one-on-one for about 20
5 minutes. During this conversation Veteran said he wanted to get the Union voted out by a
6 decertification petition. He said the reason that we are not receiving any raises or rewards is
7 because of the Union. He said Charter cannot give out raises because it needs to be negotiated.
8 He also said that we could not participate in the Charter rewards because it had been negotiated
9 with the Union. I had not participated in Charter rewards since becoming a technician. I had
10 participated in the program when I was in the front office. I don't remember anything else about
11 this meeting with Veteran.

12 Veteran said that he felt that I was one of the leaders of the Unit and that he trusted me.
13 Veteran offered to let me look at the Glendale Charter agreement to see what IBEW was able to
14 get for its employees there. Veteran asked me what my feelings were about the Union. I stated
15 that nothing is set in stone and that I was remaining objective. I reminded Veteran also that I had
16 previously been in a union while I worked at AT&T. I stopped working for AT&T in August
17 2010.

18 In about February 2015, Wally Bakare, VP of Technical Operations, came to SLO for the
19 quarterly meeting. The entire Unit attends these quarterly meetings, as well as, the construction
20 and quality assurance departments. While making his presentation, Bakare was using slides.
21 When he got to the slide regarding the Charter rewards program, he skipped over it and said
22 that's not for you guys because you're Union.

- 2 -

Initials: 

Case 31-CA-150248

5/8/2015


1 I have heard through co-workers that two technicians are passing around a decertification
2 petition. These technicians are Eric Edeen and Roman Marcado. I have not been approached by
3 Edeen or Marcado regarding the decertification.
4

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 3 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: May 6, 2015

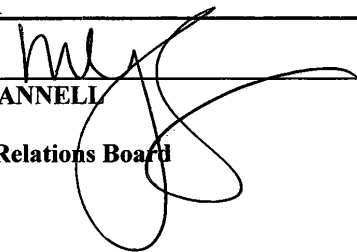
Signature:



Brenden Robertson

Signed and sworn to before me on May 8, 2015 at

Edna, CA


MICHELLE SCANNELL
Board Agent
National Labor Relations Board

- 3 -

Initials:



Charter Communications, LLC
Case 31-CA-150248

Confidential Witness Affidavit

I, Devin Rodgers, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I am a system technician 2 for Charter. I have been with Charter for 5 years, and have
2 been a system tech for 1.5 years. I am a member of IBEW Local 639 (IBEW). I am a member of
3 the bargaining committee. There is one other employee who is on the committee – John Paulson.
4 IBEW won the Union election on April 21, 2014. There has been no contract since that time. I
5 have attended about 4 two-day bargaining sessions. I was not in attendance at about 1 other 2-
6 day session.

7 My direct supervisor, Jesse Gray, Maintenance Supervisor. Gray is over 12 employees in
8 his department. All 12 of these employees are in the Unit. Kevin Van Hise, Maintenance
9 Manager, is over Gray. Van Hise is over SLO and another operation – either Gilroy or

Privacy Act Statement

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- 1 -

Initials



Case 31-CA-150248

5/8/2015

1 Porterville. There are about 50 employees in the Unit at SLO. The Unit includes system
2 technicians and broadband technicians.

3 On Thursday, April 30, 2015, there was a quarterly meeting led by Wally Bakare, a
4 manager, who works in the corporate offices in either Texas or Missouri. During this meeting, an
5 employee asked why the techs in SLO were not getting the raises that were being provided in
6 other parts of the country. Bakare said that we were not getting raises because of the Union and
7 raises have to be negotiated in the contract. I have not received a raise in two years.

8 I tested up to a systems technician 2 in about October 2013. In March 2014, I asked Gray
9 about whether I could test up to senior systems technician, which I was eligible for given that I
10 had spent 6 months at the systems technician 2 level. Gray told me that Charter was not going to
11 allow tech's test up to the next level.

12 //////////////////////////////////////

13 //////////////////////////////////////

14 //////////////////////////////////////

15 //////////////////////////////////////

16 //////////////////////////////////////

17 //////////////////////////////////////

18 //////////////////////////////////////

19 //////////////////////////////////////

20 //////////////////////////////////////

21 //////////////////////////////////////

22 //////////////////////////////////////

23 //////////////////////////////////////

- 2 -

Initials: DL

Case 31-CA-150248

5/8/2015

1 On April 30, 2015, during the quarterly meeting, Bakare skipped over a slide regarding
2 testing up to the next level and stated that it did not apply to us in SLO because you guys are
3 Union. In about October or November 2014, Gray told me that maybe I would be able to test up
4 to senior tech. About a week later, Gray told me that Charter was not going to allow us to test up
5 to senior tech.

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 3 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

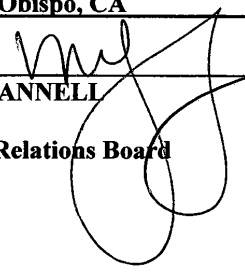
Date: May 8, 2015

Signature:


Devin Rodgers

Signed and sworn to before me on May 8, 2015 at

San Luis Obispo, CA


MICHELLE SCANNELL
Board Agent
National Labor Relations Board

- 3 -

Initials:



P.02

95%

661 241 9394

JUL-24-2015 10:42

Charter Communications, LLC
Case 31-CA-150248

Supplemental Confidential Witness Affidavit

I, Devin Rodgers, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address is [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

- 1 In about May or June 2014, in a weekly meeting with Bill Vedrin, Jesse Gray, and
- 2 possibly Wally Bakare, they mentioned that the standby pay had been raised to \$35/day at non-
- 3 Union yards. At this meeting, they told us that coming up soon there would be a new code for
- 4 standby pay in our e-time on the ADP website. Then, in about October 2014, at a weekly
- 5 meeting, Vedrin stated that several employees were still using the old code and getting paid the
- 6 higher standby pay. Vedrin stated that the employees would have to pay back the overpaid
- 7 standby pay. I did not have any overpayment of standby pay because I happened to find the
- 8 correct code at the bottom of the drop down menu.

Privacy Act Statement

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- 1 -

Initials

DR

3/2

2015-Jul-24 10:27 AM Wells Fargo Advisors 661-241-9394

P.03

55%

661 241 9394

JUL-24-2015 10:42

Case 31-CA-150248


1 In late 2014, we were told in a large quarterly meeting conducted by Wally Bakare, VP of
 2 Operations, that Charter was implementing a new score card system for broadband technicians
 3 "BBT" employees. He said that employees at other non-Union yards would be eligible to receive
 4 raises based on the scores in the new system.

5 In about January 2015, at a weekly systems tech meeting with Jesse Gray and Manager
 6 Kevin Van Hise, Gray stated Charter was going to implement the new score cards shortly. Gray
 7 said that they would meet with us one-on-one to talk about our score cards. The new score cards
 8 individually judged us on things that we had not been judged on previously, such as node health.
 9 Each system tech is assigned a group of nodes. The new score cards also judge us on how
 10 quickly we fix an A3, aka a line escalation or SRO. The new score cards also judge us on repeat
 11 line escalation. Prior to this new system, we were not judged individually on these items. We
 12 were judged as a unit on the time it took to fix outages. Prior to the new score card, I was not
 13 given a ranking or score based on my individual performance.

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 2 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: 7-23-15Signature: **Devin Rodgers**Signed and sworn to before me by telephone on June 23, 2015 atLos Angeles, CA


MICHELLE SCANNELL
 Board Agent - National Labor Relations Board

- 2 -

Initials: 

3/3

2015-Jul-24 10:27 AM Wells Fargo Advisors 661-241-9394

Charter Communications, LLC
Case 31-CA-150248

Confidential Witness Affidavit

I Mark Simonin, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

My cell phone number (including area code) is 805-234-7559

My e-mail address is mark.simonin@sbcglobal.net

I am employed by International Brotherhood of Electrical Workers, Local 639

located at 6363 Edna Rd, San Luis Obispo, CA 93401

I am the Business Manager of the International Brotherhood of Electrical Workers, Local 639 (the "Union"). Among other responsibilities, I oversee and manage the business of the Union, including contract negotiations, organizing, and communication with members and signatory employers.

In 2013, the Union was approached by a few Charter Communications ("Charter") (collectively the "Parties") employees, one was named Edgar and another was Darren Moran. These employees wanted to join the Union, and expressed that the System Techs at Charter supported the idea of joining a union. Local 639 agreed to represent the bargaining unit, which consisted of about 48 employees. In April of 2014, the unit was certified after an election, and the Union became the exclusive bargaining representative for the unit at Charter.

Privacy Act Statement

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- 1 -

Initials

Case 31-CA-150248

The Union attempted to negotiate a collective bargaining agreement with Charter on behalf of the unit. After months of negotiations, the parties had come to agreements on all non-economic proposals. On about June 19, 2015, the Parties met again to bargain over economic proposals. The parties did not come to an agreement that day, but had plans to meet again at the end of June. Before this meeting occurred, Charter unilaterally withdrew recognition of the Union on June 26, 2015.

Charter withdrew recognition based on a decertification petition that was signed by 50% plus one employees in the unit. Prior to the unilateral withdrawal of recognition, the Union had represented the unit for about one year and three months. As discussed above, the Union had not yet been able to enter into a collective bargaining agreement with Charter. After the withdrawal of recognition, members of the unit gathered signatures on authorization cards. A majority of the unit signed these cards, including six employees who had also signed the decertification petition.

In the months since, support for the Union has decreased. This is due to several reasons. First, the Union has lost support due to attrition. Union supporters have been fired from Charter, and Charter managers have replaced them with new employees who are anti-Union, and have stated to employees that only anti-Union employees will be hired from now on. Other union supporters have left the job for various reasons, and they have also been replaced with anti-Union employees.

Second, employees have become frustrated with the Union because they perceive the Union to be ineffective. The employees first became frustrated when the Union was not able to bargain a contract. However, once Charter withdrew recognition, it was clear to me that the Union would not have been able to get a contract because Charter had no intention of bargaining to completion. Further, when Union supporters were terminated, the Union could not file

Case 31-CA-150248

grievances or contest the terminations because Charter had withdrawn recognition. In addition, Charter made unilateral changes to terms and conditions of employment after it withdrew recognition, and the Union was powerless to stop them. In particular, Charter changed the way employees were evaluated. The new system that was implemented was called the employee scorecard. Employees were very concerned about its implementation, but the Union had no way to prevent Charter from making this change. A number of employees asked me why the Union could not do more to prevent Charter from making changes, and expressed frustration over the Union's perceived indifference and weakness. I did not make grand promises when the Union was certified, and I tried to control employees' expectations. However, almost two years after the election, the Union has not accomplished anything in the eyes of the employees, and is not able to protect the employees when they are disciplined or terminated. Some of the employees even blame the Union for everything that has happened and are angry at the Union.

The most significant reason the Union has lost support is because employees are afraid of retaliation. The new scorecard system sets up unrealistic standards. Depending on how and where employees are assigned to work, certain employees may not be able to make the required number of customer contacts per day and, as a result, can be disciplined or terminated because of low scores. The Union could not do anything about the implementation of the scorecard, and the employees know that the Union also cannot do anything if they are disciplined based on low scores. The employees know that the scorecard leaves them open to retaliation, because managers can assign them to impossible routes, then discipline them for low scores.

In addition, the managers at Charter, including Wally Bakare, Gary Dressler and Bill Vedrin, have made negative comments about the Union and Union supporters. On one occasion, an employee was told that he was observed attending a Union meeting, and that he should not to

- 3 -

Initials: 

Case 31-CA-150248

take his company car to the Union hall. These comments have made employees fearful of supporting the Union. Further, union supporters have been fired and disciplined, which has made employees scared. The employees know that they are not protected if Charter disciplines or terminates them. Charter knows which employees are pro-Union and anti-Union because of the decertification petition, and because of that, all supporters are potentially exposed. Edgar, who was one of the original supporters who approached Local 639, no longer supports the Union because he is afraid of retaliation and believes the Union has no power to protect him.

Union meeting attendance has declined since the withdrawal and the implementation of the scorecard. Union meetings used to pull about 28 people. This declined to about 14-17 people. The most recent meetings have had as few as 4-6 attendees. A recent meeting regarding the postponed ULP trial had about 10 attendees, but most meetings have had about 4-6 attendees for the last few months. If an election were held now, I do not believe the Union could win a majority of votes.

Finally, the employees who were called as witnesses were determined to testify in the Board's ULP trial, however they were resigned to the fact that they would eventually be terminated or disciplined because of their participation in the trial.

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- 4 -

Initials: 

Case 31-CA-150248

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 5 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: May 6, 2016 Signature: 
Mark Simonin

Signed and sworn to before me by telephone on


NAYLA WREN
Board Agent
National Labor Relations Board

- 5 -

Initials: 

CHARTER

12 / 10 / 15

SCOTT MCKINNEY

RUBIN CARINO

ENRIQUE PEREZES

11 12 15
CHAPTER

EURIQUE PEREDES

BRENDON ROBERTSON

JOHN PAULSON

SCOTT MCKINNEY

RICK CORWIN

CHARTER
UNIT MEETING 8/13/15

ENRIQUE PEREDES

RUBIN CARINO

JUSTIN MURPHY

SCOTT MCKINNEY

JOHN PAULSON

CHARTER UNIT MTG
7/9/15

RUBIN CARINO

JUSTIN MURPHY


ENRIQUE PERALES

JOAN PAULSON

BRENDON ROBERTSON

SCOTT MCKINNEY

CHARTER UNIT MT6
6/11/15

<u>NAME</u>	<u>E MAIL</u>
Ellery A. Strebien	vensurfbum@gmail.com
JOSH SANDGES	SHOER JOSH @ YAHOO. COM
JIM GOODWIN	GOINCOASTAL @ YAHOO. COM
RUBEN CARNO	rcarino @ charter.net
Branden Robertson	brx1769 @ gmail.com
Enrique Parales	eee3585 @ msn.com
SCOTT MCKINNEY	 scott.lcor13 @ gmail.com
Brian England	englands54 @ charter.net

CHARTER UNIT MTG
5/13/15

? 4/10 SCHEDULE - 2/3 VOTE

JIMMY GODWIN

RUBIN CARINO

JOHN PAULSON

DEVIN RODGERS

BRENDON ROBERTSON

SCOTT MCKINNEY

RICKY CORWIN

JUSTIN MURPHY

SIGN IN
CHARTER UNIT MEETING
4/9/15

NAME	E MAIL
Enrique Parades	eee3585@msn.com
Scott McKinney	Scott.lcor13@gmail.com
Brenden Robertson	brx1769@gmail.com
Jackson Price	Axlon112@gmail.com
JOSH SANCHEZ	SHOG2JOSH@GMAIL.COM
Ruben Carino	rcarino@charter.net
Tim Goodwin	goinecoastal@yahoo.com
Darin Rodgers	omalleydr@gmail.com
Edgar Hernandez	ehndz2@charter.net
Ellery A. Strebini	vensurfbum@gmail.com
Justin Murphy	

2 12 15

NAME	E MAIL
Scott McKinney	Scott.lcor13@gmail.com
Enrique Paredes	eee3585@msn.com
Ellery A. Strebini	vensurfbum@gmail.com
Justin Murphy	Rally Rodent@gmail.com
Jim Goodwin	livinsurfside@gmail.com
Ruben Canino	rcarino@charter.net
Devin Rodgers	omalleydr@gmail.com
Roman Mercado	romes3@charter.net
Breiden Robertson	brx1769@gmail.com
Brian England	englands54@charter.net
Steven Smith	Steven_88@charter.net
John Fausser	PAINTBAUER77@HOTMAIL.COM
Ken DBART	BONKEN2007@HOTMAIL.COM
Kenny Diaz	Kendiaz22@gmail.com
Mark Simonin	
Jackson Price	Axion112@gmail.com

CHARTER UNIT MEETING 10/9/14

<u>NAME</u>	<u>EMAIL</u>
Cristian Ison	cison92@gmail.com
Jim Goodwin	livinsurfside@yahoo.com
DOXN Shear	
RUBEN CARINO	rcarino@charter.net
Brian England	englands54@charter.net
Devin Rodgers	cmalleyd@gmail.com
John Paulsen	
Travis Hunt	chevyboy1384@yahoo.com
Enrique Paredes Mejia	eee3585@msn.com
Tim Cullen	Thesandlot99@hotmail.com
DAVID O'HAGAN	
Brandon O'Farrell	alldaymamba92@hotmail.com
Chad Centry	
Edgar Hernandez	enrnde@Chktr.net
Nik Goodman	nik-goodman@yahoo.com

5/12/14
TECHS.

8/14/14

UPDATE
THIS EMAIL

UNIT M76.

Justin Murphy
DAVID O'HAGAN
JOHN PAULSON
Ellen A. Strebin

★ - RALLYRODENT@GMAIL.COM
OHAGANCLAN@GMAIL.COM
PAULSON77@HOTMAIL.COM
vensurfbum@gmail.com



Please send complete and accurate sign-in sheets to the IBEW Education Department at:
 Mail: 900 Seventh Street, NW, Washington, DC, 20001
 Email: Education_DEPT@IBEW.org
 Fax: (202) 728-6175

Course Name: COMET
 Instructor(s): Ian Ostrov Card No(s): 7139202
John Saterfield D489713
 L.U. (s) Being Trained: 639 Training Date(s): 7/10/14

PLEASE PRINT CLEARLY AND PROVIDE ALL REQUESTED INFORMATION

PLEASE DO NOT USE NICKNAMES

Mr./Mrs./Ms.: <u>MARK Simonin</u>	Mr./Mrs./Ms.: <u>DAVID O'HAGAN</u>
Card No: <u>D852876</u> L.U. No: <u>639</u>	Card No: L.U. No: <u>639</u>
Address: <u>6363 Edna Rd</u>	Address: <u>6363 Edna Rd</u>
City/State/Zip Code: <u>SAN LUIS Obispo</u>	City/State/Zip Code: <u>SAN LUIS Obispo</u>
Province/Postal Code: <u>California 93401</u>	Province/Postal Code: <u>CA 93401</u>
Mr./Mrs./Ms.: <u>Brandon O'Farrell</u>	Mr./Mrs./Ms.: <u>TRAVIS Hunt</u>
Card No: L.U. No: <u>639</u>	Card No: L.U. No: <u>639</u>
Address: <u>6363 Edna Rd</u>	Address: <u>6363 Edna Rd</u>
City/State/Zip Code: <u>San Luis Obispo</u>	City/State/Zip Code: <u>San Luis Obispo, CA</u>
Province/Postal Code: <u>California 93401</u>	Province/Postal Code: <u>93401</u>
Mr./Mrs./Ms.: <u>JOHN PAULSEN</u>	Mr./Mrs./Ms.: <u>Brian England</u>
Card No: L.U. No: <u>639</u>	Card No: L.U. No: <u>639</u>
Address: <u>6363 EDNA RD</u>	Address: <u>1232 Katherine Ct</u>
City/State/Zip Code: <u>SAN LUIS OBISPO</u>	City/State/Zip Code: <u>Paso Robles CA</u>
Province/Postal Code: <u>CALIFORNIA 93401</u>	Province/Postal Code: <u>93446</u>
Mr./Mrs./Ms.:	Mr./Mrs./Ms.:
Card No: L.U. No:	Card No: L.U. No:
Address:	Address:
City/State/Zip Code:	City/State/Zip Code:
Province/Postal Code:	Province/Postal Code:
Mr./Mrs./Ms.:	Mr./Mrs./Ms.:
Card No: L.U. No:	Card No: L.U. No:
Address:	Address:
City/State/Zip Code:	City/State/Zip Code:
Province/Postal Code:	Province/Postal Code:



Please send complete and accurate sign-in sheets to the IBEW Education Department at:
 Mail: 900 Seventh Street, NW, Washington, DC, 20001
 Email: Education_DEPT@IBEW.org
 Fax: (202) 728-6175

Course Name: COHET
 Instructor(s): Ian Ostrov Card No(s): 7139202
John Satterfield D489713
 L.U. (s) Being Trained: 639 Training Date(s): 7/10/14

PLEASE PRINT CLEARLY AND PROVIDE ALL REQUESTED INFORMATION

PLEASE DO NOT USE NICKNAMES

Mr./Mrs./Ms.: <u>Andrew Farlas</u>	Mr./Mrs./Ms.: <u>Brian England</u>
Card No: <u> </u> L.U. No: <u>639</u>	Card No: <u> </u> L.U. No: <u>639</u>
Address: <u>133 Royal lane</u>	Address: <u>1232 Katherine CT</u>
City/State/Zip Code: <u> </u>	City/State/Zip Code: <u>Para Robles</u>
Province/Postal Code: <u>Santa Maria CA 93541</u>	Province/Postal Code: <u>93446</u>
Mr./Mrs./Ms.: <u>Ruben Carino</u>	Mr./Mrs./Ms.: <u>Dave Patterson</u>
Card No: <u> </u> L.U. No: <u>639</u>	Card No: <u> </u> L.U. No: <u>639</u>
Address: <u>1584 7th st</u>	Address: <u>1584 7th</u>
City/State/Zip Code: <u> </u>	City/State/Zip Code: <u> </u>
Province/Postal Code: <u>Los Osos CA 93402</u>	Province/Postal Code: <u>Los Osos Ca 93402</u>
Mr./Mrs./Ms.: <u>Darin Rodgers</u>	Mr./Mrs./Ms.: <u>Marlene Galarza</u>
Card No: <u> </u> L.U. No: <u>639</u>	Card No: <u> </u> L.U. No: <u>639</u>
Address: <u>152 Chabow L.</u>	Address: <u>2332 TreeLine DR</u>
City/State/Zip Code: <u>Arroyo Grande, CA, 93420</u>	City/State/Zip Code: <u> </u>
Province/Postal Code: <u> </u>	Province/Postal Code: <u>Santa Maria CA</u>
Mr./Mrs./Ms.: <u>Edgar Hernandez</u>	Mr./Mrs./Ms.: <u> </u>
Card No: <u> </u> L.U. No: <u>639</u>	Card No: <u> </u> L.U. No: <u> </u>
Address: <u>1478 Raspberry Ave</u>	Address: <u> </u>
City/State/Zip Code: <u> </u>	City/State/Zip Code: <u> </u>
Province/Postal Code: <u>Arroyo Grande 93420</u>	Province/Postal Code: <u> </u>
Mr./Mrs./Ms.: <u>JOHN STEEL</u>	Mr./Mrs./Ms.: <u> </u>
Card No: <u> </u> L.U. No: <u>639</u>	Card No: <u> </u> L.U. No: <u> </u>
Address: <u>11660 Countryside Rd</u>	Address: <u> </u>
City/State/Zip Code: <u> </u>	City/State/Zip Code: <u> </u>
Province/Postal Code: <u>Visalia Ca 93244</u>	Province/Postal Code: <u> </u>

CHARTER UNIT MEETING

6 12 14

NAME	E MAIL
Jackson Price	Axion112@gmail.com
Brandon O'Farrell	alldaymamba92@hotmail.com
* JOHN PAULSEN	PAULSEN277@HOTMAIL.COM
* DAVID O'HAGAN	O'HAGANCLAN@gmail.com
Ellery A. Strebin	vensurfbum@gmail.com
KEN DEHART	BONKEN2007@HOTMAIL.COM
* Brian England	englands54@charter.net
* LORRI STEEL	SteelL013@MSN.COM
* Devin Rodgers	omalleydr@gmail.com
Edgar Hernan J	eurrnd2@Charter.net
Marlene GIALHRZA	galarzan galarzamarlene@yahoo.com
Ruben Carino	rcarino@charter.net

?
0 DAVID PATTERSON

MIKE HOLWORTH

SECOND TUES.

May 8, 2014

Charter Unit Mtg.

MARK SIMONIN

msimonin@lbew639.org

543.5693

DAVID O'HAGAN

OHAGANCLAN@GMAIL.COM

709.8168

JOHN PAULSEN

PAULSEN277@att.net

40-8733

Rebecca Bailey

bbailey94@gmail.com

441-4179

Ruben Berdeja

rubenberdejaj3@yahoo.com

296-0089

Roman Mercado

romes3@charter.net

556-5501

Brian Harvey

bharv0622@gmail.com

661-8861711

Nik Goodman

nik-goodman@yahoo.com

296-8102

Justin Murphy

Hugo Ramirez

hugo805@live.com

868-9453

Edgar Ramirez

edgerhramirez@live.com

888-9569

STEVEN MCGREGOR

navstove@yahoo.com

Andrew Farles

Dre805@live.com

Dave Patterson

805-440-5241

Jim Goodwin

livinsurfside@gmail.com

Sean Sanders

by.the.season@gmail.com

Eddie Rodriguez

gysbtrodriguez@aol.com

805-703-0627

Matt Evans

mkevans@charter.net

805-462-9522

ROTT

Max Vallejo

maximo_vallej@yahoo.com

Cristian T. Ison

cison92@gmail.com

805-704-5699

Aaron Luzania

Michealaaaron7@msn.com

805-5344286

04-30-14 Charter SLD meeting

Name (Please Print)	Phone	Email
ERIK FORREN	773-291-6013	ROCKEFORREN@CHARTER
Ellen A. Strebin	(905) 235-2234	VENSLIFF@Gmail
David O'Leary	805 709 8168	OHAGANCLAND@Gmail.com
Cristian T Ison	805 704 5659	CRISTIAN_CISON@Gmail.com
Rebecca Bailey	805-441-4179	rbbailey94@gmail
Edgar Hernandez	805 904 3268	ehrdz2 Charter.net
Justin Murphy	805 391 0106	
Davin Rodgers	510-316-0564	omilleydr@gmail.com
Travis Hunt	805-903-3718	chevyboy1384@yahoo.com
ARINO (ARINO)	(805) 431-0025	rcarino@charter.net
KEN DEHART	805-431-4129	BANKEN2007@HOTMAIL.COM
TOM PAULSEN	805-610-8733	TPAULSEN77@HOTMAIL.COM
Brandon O'Farrell	805-538-0054	alldaymamba92@hotmail.com
Brian England	805-286-7815	englenob54@charter.net
Roman Mercado	805-556-5501	romes3@charter.net

CHARTER UNIT 1/8/15

NAME	PH #	E MAIL
Sean Sanders	805 234-8478	by.the.seaside@gmail.com
STUART FLECK	805 260-1435	(ALREADY IN)
Brenden Robertson	(707) 208-3329	brx1769@gmail.com
Kenny Diaz	458-5973	Kendiaz22@gmail.com
Brian England	805-286-7815	englands54@charter.net
Enrique Paredes	760-885-2956	eee3585@msn.com
Nik Goodman	805-296-8102	nik_goodman@yahoo.com
Devin Rodgers	510-316-0564	omalleydr@gmail.com
Ruben Carino	(805) 431-0025	rcarino@charter.net
Justin Murphy	805 391 0106	Polly Rodent@zimbra.com
Aaron Luzania	805-534-4286	Michaelaaron7@msn.com
Ellery A. Strebin	805-235-2234	VENSurfburn@gmail.com
Steven Smith	805-674-0101	Steven_88@Mac.com
KEN DEHART	805-610-9494	BONKEN2007@161MAIL.COM

Charter Communications, LLC
Case 31-CA-150248

Confidential Witness Affidavit

I, Ellery Strebin, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at [REDACTED]

My home telephone number (including area code) is [REDACTED]

My cell phone number (including area code) is [REDACTED]

My e-mail address [REDACTED]

I am employed by Charter Communications (Charter)

located at 270 Bridge Street, San Luis Obispo (SLO), CA 93401

1 I am a senior business technician (broadband installer "BBI" for businesses) for Charter. I
2 have been with Charter for almost 5 years. IBEW won the Union election on April 21, 2014.
3 There has been no contract since that time.

4 My direct supervisor, David O'Hagan, BBI Supervisor. O'Hagan is over about 8
5 employees in his department. All of these employees are in the Unit. Bill Vedrin is over
6 O'Hagan. Vedrin's title is the SLO Charter Yard Manager. I also believe Vedrin oversees the
7 Yard Managers at Gilroy and Turlock.

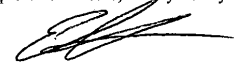
8 At the quarterly meeting, on Thursday, April 30, 2015, Wally Bakare, Manager of
9 Operations in California, spoke at this meeting and said there would be no monetary rewards for

Privacy Act Statement

The NLRB is asking you for the information on this form on the authority of the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the NLRB in processing representation and/or unfair labor practice cases and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). Additional information about these uses is available at the NLRB website. Providing this information to the NLRB is voluntary. However, if you do not provide the information, the NLRB may refuse to continue processing an unfair labor practice or representation case, or may issue you a subpoena and seek enforcement of the subpoena in federal court.

- 1 -

Initials



Case 31-CA-150248

5/8/2015

1 any work that is being done in SLO because there was a Union even though there is not yet a
 2 contract. The monetary rewards Bakare referred to the incentives and annual pay raises that are
 3 available to the employees in other yards. Bakare's presentation was about everything Charter is
 4 doing for it's employees, but that these benefits cannot be given to SLO because of the Union.
 5 Bakare has made this point at every quarterly meeting since the Union won the election.

6 I last received an annual pay raise in 2013. I did not receive an annual pay raise in 2014
 7 or 2015. I asked O'Hagan two weeks ago about the annual pay raise. O'Hagan told me that my
 8 work performance had improved. He said, well, the Union is in and there is no contract, so that is
 9 true. I received a promotional pay raise when I promoted to Senior Business Technician about
 10 one year ago. It was after the Union won the election.

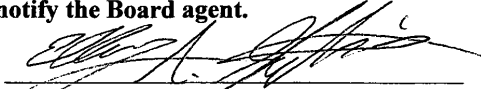
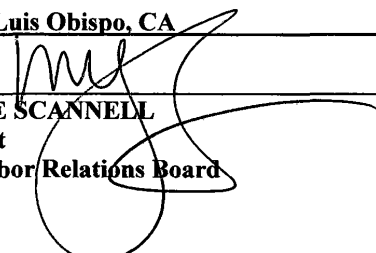
11

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of 2 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

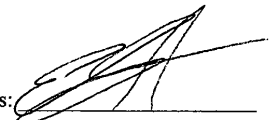
Date: May 8, 2015

Signature:


 Ellery Strebin
Signed and sworn to before me on May 8, 2015 atSan Luis Obispo, CA

 MICHELLE SCANNELL
 Board Agent
 National Labor Relations Board

- 2 -

Initials:



Wyllie, Steven

From: Farber, Henry <henryfarber@dwt.com>
Sent: Thursday, July 16, 2015 10:44 AM
To: Scannell, Michelle
Cc: Ball, Taylor
Subject: RE: Charter, 31-CA-155081
Attachments: 10.2.23.250_Exchange_07-16-2015_10-33-41.pdf; 10.2.23.250_Exchange_07-16-2015_10-34-44.pdf

Categories: Red Category

Michelle,

Pursuant to your request and your assurances that this information will not be shared with the Charging Party, I am attaching a copy of the petition received by Charter Communications and the bargaining unit list as of the date the petition was received. For your convenience, we have checked off the names on this list that signed the petition, but I'm sure you will double-check us!

Please let me know if you have any questions. Would you please confirm your receipt of these documents?

Thanks,

Henry

Henry E. Farber | Davis Wright Tremaine LLP
Chair, Employment Services Group
777 108th Ave. NE, Suite 2300 | Bellevue, WA 98004
Tel: (425) 646-6138 | Fax: (425) 646-6199
Email: henryfarber@dwt.com | Website: www.dwt.com

Anchorage | Bellevue | Los Angeles | New York | Portland | San Francisco | Seattle | Shanghai | Washington, D.C.
This is an attorney-client privileged communication; do not disclose or forward to others.

From: Scannell, Michelle [mailto:Michelle.Scannell@nrlb.gov]
Sent: Monday, July 13, 2015 10:58 AM
To: Farber, Henry
Subject: Charter, 31-CA-155081

Hi Henry –

Based on the above-referenced charge, it has come to our attention that the Employer has withdrawn recognition from the Union. As such, please provide your evidence that the Union suffered a valid, untainted loss of its majority status at the time the Employer withdrew recognition. If your evidence is a decertification petition signed by the majority of employees, please provide a copy of the petition, and an employee list as of the date of the Employer's withdrawal of recognition. Please provide this information by the close of business on Monday, July 20, 2015. Thank you for your cooperation.

Also, please let me know if your client is considering filing an RM-petition. (See GC 02-01.)

Thanks,

Michelle Scannell

NLRB - Region 31

NEW ADDRESS:

11500 W. Olympic Blvd., #600

Los Angeles, CA 90064

(310) 235-7480

CHARTER COMMUNICATIONS
BARGAINING UNIT TECHS AS OF JUNE 25, 2015

Name	Location	Job Title
✓ Aguilar Jr, Jose Paredes	SAN LUIS OBISPO, CA (Ops)	Advanced Broadband Installer
✓ Benson, Tyler Andrew	SAN LUIS OBISPO, CA (Ops)	Advanced Broadband Installer
Berdeja, Ruben	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
Carino, Ruben A	SAN LUIS OBISPO, CA (Ops)	Sr System Technician
✓ Corwin, Richard Patrick	SAN LUIS OBISPO, CA (Ops)	Advanced Broadband Installer
✓ Cullen, Timothy D	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
DeHart, Kenneth M	SAN LUIS OBISPO, CA (Ops)	CB Broadband Technician
✓ Delevett, Alexis BJ	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
✓ Dunstan, Gregory Brooks	SAN LUIS OBISPO, CA (Ops)	System Technician II
✓ Edeen, Erik J	SAN LUIS OBISPO, CA (Ops)	CB Broadband Technician
England, Brian E.	SAN LUIS OBISPO, CA (Ops)	System Technician II
Evans, Mathew P	SAN LUIS OBISPO, CA (Ops)	Sr System Technician
Fleck, Stuart J	SAN LUIS OBISPO, CA (Ops)	Broadband Technician Sr
✓ Galarza, Marlene Bobbie	SAN LUIS OBISPO, CA (Ops)	System Technician I
Gentry, Chad M	SAN LUIS OBISPO, CA (Ops)	Sr System Technician
✓ Goodman, Nikolos David	SAN LUIS OBISPO, CA (Ops)	Broadband Technician Sr
Goodwin, Jimmy D	SAN LUIS OBISPO, CA (Ops)	Sr System Technician
Hanna, Steven S	SAN LUIS OBISPO, CA (Ops)	Sr System Technician
Hernandez, Edgar O	SAN LUIS OBISPO, CA (Ops)	Sr System Technician
✓ Jandle, Calvin Carlis	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
✓ Jolley, Andrew Ryan	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
Luzania, Aaron Michael	SAN LUIS OBISPO, CA (Ops)	Broadband Technician Sr
Mansfield, Jacoby Blu	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
McKinney, Scott Michael	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
✓ Mercado, Roman Henry	SAN LUIS OBISPO, CA (Ops)	Broadband Technician Sr
✓ Moody, Fenton A	SAN LUIS OBISPO, CA (Ops)	System Technician II
Murphy, Justin W	SAN LUIS OBISPO, CA (Ops)	CB Broadband Technician
✓ Nava, Philip Anthony	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
✓ Navarro, Robert Valentino	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
Paredes Mejia, Enrique	SAN LUIS OBISPO, CA (Ops)	Broadband Technician Sr
✓ Patterson, David T	SAN LUIS OBISPO, CA (Ops)	Sr System Technician
Paulsen, John Benjamin	SAN LUIS OBISPO, CA (Ops)	CB Broadband Technician
Price, Jackson James	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
✓ Quintana Jr, Enrique	SAN LUIS OBISPO, CA (Ops)	Advanced Broadband Installer
✓ Quintana, David Jacob	SAN LUIS OBISPO, CA (Ops)	Broadband Installer
✓ Raby, James Dustin	SAN LUIS OBISPO, CA (Ops)	Advanced Broadband Installer
✓ Rahbar, Daniel Fletch	SAN LUIS OBISPO, CA (Ops)	Advanced Broadband Installer
✓ Ramirez, Edgar H	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
✓ Ramirez, Hugo H	SAN LUIS OBISPO, CA (Ops)	Advanced Broadband Installer
Robertson, Brenden	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
Rodgers, Devin	SAN LUIS OBISPO, CA (Ops)	System Technician II
Rodriguez Jr, Eduardo Giron	SAN LUIS OBISPO, CA (Ops)	Advanced Broadband Installer
✓ Sanders, Joshua Daniel	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
Sanders, Sean Anthony	SAN LUIS OBISPO, CA (Ops)	Broadband Technician Sr
✓ Sandoval, Arik R	SAN LUIS OBISPO, CA (Ops)	Broadband Technician
Smith, Steve C	SAN LUIS OBISPO, CA (Ops)	Broadband Technician Sr

CHARTER COMMUNICATIONS
BARGAINING UNIT TECHS AS OF JUNE 25, 2015

✓ Strebin, Ellery Arthur	SAN LUIS OBISPO, CA (Ops)	CB Broadband Technician
✓ Thompson, Scott Matthew	SAN LUIS OBISPO, CA (Ops)	Broadband Installer

**PETITION FOR DECERTIFICATION (RD) -- REMOVAL OF
REPRESENTATIVE**

The undersigned employees of Charter Communication of San Luis Obispo CA do not want to be represented by IBEW Local 639.

Should the undersigned employees make up 30% or more (and less than 50%) of the bargaining unit represented by IBEW Local 639, the undersigned employees hereby petition the National Labor Relations Board to hold a decertification election to determine whether a majority of employees no longer wish to be represented by this union.

Should the undersigned employees make up 50% or more of the bargaining unit represented by IBEW Local 639, the undersigned employees hereby request that Charter Communication of San Luis Obispo CA withdraw recognition from this union immediately, as it does not enjoy the support of a majority of employees in the bargaining unit.

<u></u>	<u>Arvik SANDRUM</u>	<u>5/13/16</u>
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date


_____	_____	_____
Signature	Name (Print)	Date

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 E. Henry A. Stepien 06/24/2015
Signature Name (Print) Date

Signature Name (Print) Date

Signature Name (Print) Date

Signature Name (Print) Date

Signature Name (Print) Date

Signature Name (Print) Date

Signature Name (Print) Date

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	Dave Patterson	4/3/15
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date

_____	_____	_____
Signature	Name (Print)	Date

**PETITION FOR DECERTIFICATION (RD) -- REMOVAL OF
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<u>Tyler Benson</u> Signature	<u>Tyler Benson</u> Name (Print)	<u>04/3/15</u> Date
----------------------------------	-------------------------------------	------------------------

_____ Signature	_____ Name (Print)	_____ Date
--------------------	-----------------------	---------------

_____ Signature	_____ Name (Print)	_____ Date
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_____ Signature	_____ Name (Print)	_____ Date
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_____ Signature	_____ Name (Print)	_____ Date
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_____ Signature	_____ Name (Print)	_____ Date
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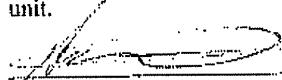
_____ Signature	_____ Name (Print)	_____ Date
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**PETITION FOR DECERTIFICATION (RD) -- REMOVAL OF
REPRESENTATIVE**

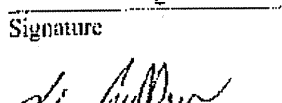
The undersigned employees of Charter Communication of San Luis Obispo CA do not want to be represented by IBEW Local 639.

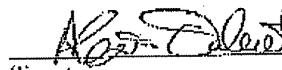
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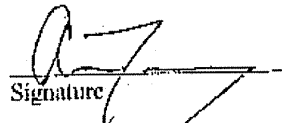
 Robert Navarro 4-30-15
Signature Name (Print) Date

Signature Name (Print) Date

 Tim Cullen 5-8-15
Signature Name (Print) Date

 Alex Delgado 5/4/15
Signature Name (Print) Date

Signature Name (Print) Date

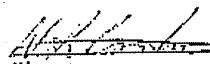
 Andrew Valley 5/9/15
Signature Name (Print) Date

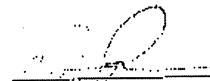
PETITION FOR DECERTIFICATION (RD) -- REMOVAL OF REPRESENTATIVE

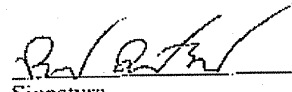
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 Mit Goodman 4-10-15 Decided by resign on another
Signature Name (Print) Date

 DANIEL RAHBAR 4-1-15
Signature Name (Print) Date

 David Benisana 4/28/15
Signature Name (Print) Date

Signature Name (Print) Date

Signature Name (Print) Date

Signature Name (Print) Date

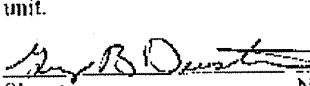
Signature Name (Print) Date

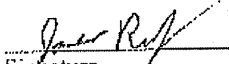
**PETITION FOR DECERTIFICATION (RD) -- REMOVAL OF
REPRESENTATIVE**


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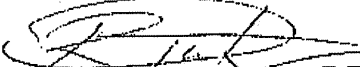
 DINSTAN Greg 2-27-15
Signature Name (Print) Date


 James Raby 2/27/15
Signature Name (Print) Date

 Cal Jandak 2-27-15
Signature Name (Print) Date

 Hugo Ramirez 2/27/15
Signature Name (Print) Date

 Jose Aguilar 2/27/15
Signature Name (Print) Date

 Enrique Quintana 2/27/15
Signature Name (Print) Date

 Martene Galera 3-5-15
Signature Name (Print) Date

**PETITION FOR DECERTIFICATION (RD) – REMOVAL OF
REPRESENTATIVE**

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Edgar Ramo Edgar Ramirez 2-24-15
Signature Name (Print) Date

[Signature] JOHN SANDOZ 01/24/15
Signature Name (Print) Date

[Signature] Roman Trecedo 2/24/15
Signature Name (Print) Date

[Signature] KENTIK EDICEN 2/24/15
Signature Name (Print) Date

[Signature] BRIAN HARVEY 2/25/15 (NO LONGER EMPLOYED)
Signature Name (Print) Date

[Signature] Scott Thompson 26 March 2015
Signature Name (Print) Date

[Signature] Fenton Mann 4/8/2015
Signature Name (Print) Date